

EAST CENTRAL AND EASTERN EUROPE IN THE MIDDLE AGES, 450-1450

# The Middle Ages between the Eastern Alps and the Northern Adriatic

*Select Papers on Slovene Historiography  
and Medieval History*



Peter Štih



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BRILL

The Middle Ages between the Eastern Alps  
and the Northern Adriatic

East Central and Eastern  
Europe in the Middle Ages,  
450–1450

*General Editor*  
Florin Curta

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By  
Peter Štih



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## ABBREVIATIONS

a.	anno
AAAd	Antichità Altoadriatiche
AMSI	Atti e memorie della Società istriana di archeologia e storia patria
AÖG	Archiv für österreichische Geschichte
AS	Arhiv Republike Slovenije
AUR	Allgemeine Urkundereihe
AV	Arheološki vestnik
AVGT	Archiv für vaterländische Geschichte und Topographie
BAW	Bayerische Akademie der Wissenschaften
BUB	Urkundenbuch zur Geschichte der Babenberger in Österreich
CDAF	Codex diplomaticus Austriaco-Frisingensis
CDI	Codice Diplomatico Istriano
CKL	Celjska knjiga listin
ČSJKZ	Časopis za slovenski jezik, književnost in zgodovino
ČZN	Časopis za zgodovino in narodopisje
D. Arn.	Die Urkunden Arnolfs
D. Ber. I.	I diplomi di Berengario I
D. F. I.	Die Urkunden Friedrichs I.
D. H. I.	Die Urkunden Heinrichs I.
D. H. III.	Die Urkunden Heinrichs III.
D. H. IV.	Die Urkunden Heinrichs IV.
D. Hugo/Lotar	I diplomi di Ugo e di Lotario, di Berengario II e di Adalberto
D. O. I.	Die Urkunden Ottos I.
D. O. II.	Die Urkunden Otto des II.
D. O. III.	Die Urkunden Otto des III.
D. Kar. I.	Die Urkunden Karls des Großen
D. Karl.	Die Urkunden Karlmanns
D. Ko. I.	Die Urkunden Konrads I.
D. Ko. II.	Die Urkunden Konrads II.
D. LD.	Die Urkunden Ludwigs des Deutschen
ed.	editor
Ergbd.	Ergänzungsband



ES	Enciklopedija Slovenije
FRA	Fontes rerum Austriacarum
FSI	Fonti per la storia d'Italia
GMDS	Glasnik muzejskega društva za Slovenijo
Gradivo	Gradivo za zgodovino Slovencev v srednjem veku (Gradivo za slovensko zgodovino v srednjem veku)
GZLj	Gradivo za zgodovino Ljubljane v srednjem veku
HHStAW	Haus- Hof- und Staatsarchiv Wien
HZ	Historijski zbornik
IFÖG	Institut für Österreichische Geschichtsforschung
IP	Italia Pontificia
JAZU	Jugoslavenska akademija znanosti i umjetnosti
JiČ	Jugoslovenski istorijski časopis
JbLKNÖ	Jahrbuch für Landeskunde von Niederösterreich
LMA	Lexikon des Mittelalters
MC	Monumenta historica ducatus Carinthiae
MGH	Monumeta Germaniae Historica
MGSL	Mitteilungen der Gesellschaft für Salzburger Landeskunde
MIÖG	Mitteilungen des Instituts für Österreichische Geschichtsforschung
MMFH	Magnae Moraviae fontes historici
ms.	manuscript
NF	Neue Folge
no.	number
NS	Nova Series, Neue Serie, Nuova Seria
n. v.	nova vrsta (New Series)
ÖAW	Österreichische Akademie der Wissenschaften
p.	page
PSBL	Primorski slovenski biografski leksikon
RE	Paulys Realencyklopädie der classischen Altertumswissenschaft
reg.	regestum
RG	Die Regesten der Grafen von Görz und Tirol
RGA	Reallexikon der Germanischen Altertumskunde
RI	Regesta imperii
RIS	Rerum Italicarum Scriptores
RZDHV	Razprave znanstvenega društva za humanistične vede

s. a.	sine anno
s. d.	sine dato
s. l.	sine loco
SBL	Slovenski biografski leksikon
SG	Studi Goriziani
SHS	Studia Historica Slovenica
SOF	Südost-Forschungen
SS	Scriptores
SUB	Salzburger Urkundenbuch
StLA	Steiermärkisches Landesarchiv Graz
StUB	Urkundenbuch des Herzogthums Steiermark
Suppl.	Supplementum
s. v.	sub voce
TB	Die Traditionsbücher des Hochstifts Brixen
TEA	Thesaurus Ecclesiae Aquilejensis
TF	Die Traditionen des Hochstifts Freising
TLA	Tiroler Landesarchiv
UBK	Urkunden- und Regestenbuch des Herzogtums Krain
UBLOE	Urkunden-Buch des Landes ob der Enns
VuF	Vorträge und Forschungen
VSWG	Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte
SAZU	Slovenska akademija znanosti in umetnosti
SUB	Salzburger Urkundenbuch
SBL	Slovenski biografski leksikon
TKL	Turjaška knjiga listin
ZBLG	Zeitschrift für Bayerische Landesgeschichte
ZČ	Zgodovinski časopis
ZHVSt	Zeitschrift des Historischen Vereines für Steiermark
ZL	zbirka listin (collection of documents)
ZRG GA	Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Germanische Abteilung
ZZRPF	Zbornik znanstvenih razprav Pravne fakultete



CONCORDANCE LIST OF SLOVENE PLACE NAMES  
IN GERMAN AND ITALIAN

For historical reasons, many place names in Slovenia also have German forms, which may be of medieval or more recent origin. Others have an Italian form for the same reasons. Because many places are quoted or known (only) in the German or Italian form in non-Slovene literature, some places from the territory of the Republic of Slovenia mentioned in this book are listed below with their bilingual names.

*Slovene–German Concordance*

Bela Cerkev	Weißkirchen
Bistra	Freudenthal
Bled	Veldes
Bohinj	Wochein
Borl	Ankenstein
Boštanj	Weißenstein
Brestanica	Reichenburg
Brežice	Rain
Celje	Cilli
Cerknica	Zirknitz
Cerklje	Zirklach
Čretež	Reutenberg
Črnomelj	Tschernembl
Čušperk	Zobelsberg
Dobropolje	Gutenfeld
Dobrna	Neuhaus
Dovje	Lengenfeld
Dravograd	Unterdrauburg
Goričane	Görtschach
Gornji Grad	Oberburg
Gradac	Grätz
Grosuplje	Großlup
Hmeljnik	Hopfenbach
Jesenice	Aßling
Jurklošter	Gairach

Kacenštajn	Katzenstein
Kamen	Stein (bei Vigaun)
Kamnik	Stein
Klevevž	Klingenfels
Kostanjevica	Landstraß
Kostel	Grafenwarth
Kozjak	Kosieck
Kranj	Krainburg
Kravjek	Weinegg
Krško (polje)	Gurkfeld
Kunšperk	Königsberg
Laško	Tüffer
Lebek	Liebegg
Lemberg	Lengenburg
Libenštajn	Liebenstein
Ljubljana	Laibach
Lož	Laas
Maribor	Marburg
Medvode	Zwischenwässern
Mehovo	Meichau
Metlika	Möttling
Mirna	Neudegg
Mokronog	Nassenfuß
Mozirje	Praßberg
Novo mesto	Rudolfswert
Ortnek	Ortenegg
Ojstrica	Osterwitz
Otok	Gutenwerth
Pišece	Pischätz
Planina	Montpreis
Podčetrtek	Windischlandberg
Podsreda	Hörberg
Polhov Gradec	Billichgratz
Poljane	Pöllan
Poljčane	Pöltschach
Postojna	Adelsberg
Preddvor	Höfflein
Prežek	Preisegg
Ptuj	Pettau
Radeče	Ratschach

Radovljica	Radmannsdorf
Raka	Arch
Ribnica	Reifnitz
Rogatec	Rohitsch
Rožek	Rossek
Sevnica	Lichtenwald
Slovenj Gradec	Windischgraz
Slovenska Bistrica	Windischfeistritz
Slovenske gorice	Windische Bühel
Smlednik	Flödnig
Soteska	Ainöd
Stari grad	Altenburg
Stična	Sittich
Stražišče	Straschischtz
Studenice	Studenitz
Šenek	Schöneegg
Šentjur	St. Georgen
Šentrupert	St. Rupert
Škofja Loka	Bischoflack
Škrljevo	Grailach
Šoštanj	Schönstein
Štatenberg	Stattenberg
Šumberk	Schönberg
Tolmin	Tolmein
Turjak	Auersperg
Velesovo	Michelstetten
Vinji vrh	Weinberg
Vipava	Wippach
Vitanje	Weitenstein
Vojnik	Hocheneegg
Vransko	Franz
Vuzenica	Saldenhofen
Zbelovo	Plankenstein
Zidani most	Steinbrück
Žalec	Sachsenfeld
Žaženberk	Sachsenwarth
Žiče	Seitz
Žovnek	Sannegg
Žužemberk	Seisenberg

*German–Slovene Concordance*

Adelsberg	Postojna
Ainöd	Soteska
Altenburg	Stari grad
Ankenstein	Borl
Arch	Raka
Aßling	Jesenice
Auersperg	Turjak
Bischoflack	Škofja Loka
Billichgratz	Polhov Gradec
Cilli	Celje
Flödnig	Smlednik
Franz	Vransko
Freudenthal	Bistra
Gairach	Jurklošter
Görtschach	Goričane
Grafenwarth	Kostel
Gräz	Gradac
Grailach	Škrljevo
Großlup	Grosuplje
Gurkfeld	Krško (polje)
Gutenfeld	Dobropolje
Gutenwerth	Otok
Hochenegg	Vojnik
Höfflein	Preddvor
Hopfenbach	Hmeljnik
Hörberg	Podsreda
Katzenstein	Kacenštajn
Klingenfels	Klevevž
Kosieck	Kozjak
Königsberg	Kunšperk
Krainburg	Kranj
Laibach	Ljubljana
Landstraß	Kostanjevica
Laas	Lož
Lengenburg	Lemberg
Lengendorf	Dovje
Lichtenwald	Sevnica

Liebegg	Lebek
Liebenstein	Libenštajn
Marburg	Maribor
Meichau	Mehovo
Michelstetten	Velesovo
Montpreis	Planina
Möttling	Metlika
Nassenfuß	Mokronog
Neudegg	Mirna
Neuhaus	Dobrna
Oberburg	Gornji Grad
Ortenegg	Ortnek
Osterwitz	Ojstrica
Pettau	Ptuj
Pischätz	Pišece
Plankenstein	Zbelovo
Pöllan	Poljane
Pöltschach	Poljčane
Praßberg	Mozirje
Preisegg	Prežek
Radmannsdorf	Radovljica
Rain	Brežice
Ratschach	Radeče
Reichenburg	Brestanica
Reifnitz	Ribnica
Reutenberg	Čretež
Rohitsch	Rogatec
Rossek	Rožek
Rudolfswert	Novo mesto
Sachsenfeld	Žalec
Sachsenwarth	Žaženberk
Saldenhofen	Vuzenica
Sannegg	Žovnek
Schöneegg	Šenek
Schönberg	Šumberk
Schönstein	Šoštanj
Seisenberg	Žužemberk
Seitz	Žiče
Sittich	Stična



St. Georgen	Šentjur
St. Rupert	Šentrupert
Stattenberg	Štatenberg
Stein (bei Vigaun)	Kamen
Stein	Kamnik
Steinbrück	Zidani most
Straschischtz	Stražišče
Studenitz	Studenice
Tolmein	Tolmin
Tschernembl	Črnomelj
Tüffer	Laško
Unterdrauburg	Dravograd
Veldes	Bled
Weinberg	Vinji vrh
Weinegg	Kravjek
Weißenstein	Boštanj
Weißkirchen	Bela Cerkev
Weitenstein	Vitanje
Windische Bühel	Slovenske gorice
Windischfeistritz	Slovenska Bistrica
Windischgraz	Slovenj Gradec
Windischlandberg	Podčetrtek
Wippach	Vipava
Wochein	Bohinj
Zirklach	Cerklje
Zirknitz	Cerknica
Zobelsberg	Čušperk
Zwischenwässern	Medvode

*Slovene-Italian Concordance*

Gorica	Gorizia
Izola	Isola
Koper	Capodistria
Kubed	Covedo
Piran	Pirano

*Italian–Slovene Concordance*

Capodistria	Koper
Covedo	Kubed
Gorizia	Gorica
Isola	Izola
Pirano	Piran

*The Slovene Provincial Names*

Carinthia	Koroška
Carniola	Kranjska
Gorizia	Goriška
Inner Carniola	Notranjska
Karst	Kras
Lower Carniola	Dolenjska
Styria	Štajerska
Upper Carniola	Gorenjska
White Carniola	Bela Krajina



## LIST OF FIRST PUBLICATIONS

The papers in this book are based on articles published earlier, which have been changed to different degrees and partly reworked:

On nationalised history, myths and stereotypes = Štih 2006a.

Theories of indigeneity and their like among the Slovenes = Štih 1997.

On the modern (mis)understanding of old history in the case of the enthronement of the Carinthian dukes = Štih 2005b.

A plea for a different view of ancient Slovene history = Štih 2007a.

Wiped out by the Slavic settlement? The issue of continuity between Antiquity and the Early Middle Ages in the Slovene area = Štih 1999a.

The Alpine Slavs and their neighbours: from confrontation to integration = Štih 2004a.

The Carantians – an early medieval *gens* between East and West = “Karantanci – zgodnjerednjeveško ljudstvo med Vzhodom in Zahodom,” *ZČ* 61 (2007), pp. 47–58.

Carniola, *patria Sclavorum* = Štih 1996b.

Structures of the Slovene territory in the Early Middle Ages = Štih 2000.

The early medieval “state” and the tribal formations in the Slavic settlement area of the Eastern Alps = Štih 1995.

On the eastern border of Italy in the Early Middle Ages = Štih 1999b.

Istria at the onset of the Frankish rule, or the impact of global politics on regional and local conditions = “Istra na začetku frankovske oblasti in v kontekstu razmer na širšem prostoru med severnim Jadranom in srednjo Donavo,” in *Istra med Vzhodom in Zahodom. Ob 1200 letnici Rižanskega zbora* (Acta Histriae 13/1), Koper 2005, pp. 1–20.

The origin and the beginnings of episcopal property in the territory of present-day Slovenia = “Ursprung und Anfänge der bischöflichen Besitzungen im Gebiet des heutigen Sloweniens,” in Bizjak M. (ed.), *Festschrift für Pavle Blaznik* (Ljubljana-Škofja Loka 2005), pp. 37–53.

The patriarchs of Aquileia as margraves of Carniola = Štih 2000b.

The beginnings of Ljubljana and the Bavarian nobility = Štih 2006.

- The counts of Gorizia as *domini terrae* in Gorizia, Carniola, and Istria = Štih 2000a.
- The counts of Cilli, the issue of their princely authority and the *Land* of Cilli = “Die Grafen von Cilli, die Frage ihrer landesfürstlichen Hoheit und des Landes Cilli,” *MIÖG* 110 (2002), pp. 67–98.
- The enthronement of the dukes of Carinthia between history and imagination: issues of its tradition, development, and course = “Die Kärntner Herzogseinssetzung zwischen Geschichte und Vorstellungen: Probleme ihrer Überlieferung, Entwicklung und ihres Verlaufs sowie Rezeption bei den Slowenen,” in Sabine Nikolay, *Der Kärntner Fürstenstein im Bild. Darstellungen eines europäischen Rechtsdenkmales. Mit Beiträgen von Heinz Dopsch und Peter Štih* (Klagenfurt/Celovec-Ljubljana/Laibach 2010), pp. 261–299.

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## PREFACE

The papers in the present book are the fruit of over twenty-five years of intensive involvement with the medieval history of the region between the Northern Adriatic and the Eastern Alps. Translated into English and published together in one place by a reputed publishing house, they are now accessible to a wide audience of interested researchers. For this, I would like to express my gratitude in the first place to Florin Curta, general editor of the series East Central and Eastern Europe in the Middle Ages, 450–1450, and Julian Deahl, senior acquisitions editor at the Brill publishing house. I would further like to thank (in alphabetical order) Klaus Allesch, Rajko Bratož, Alan McConnell Duff, Paul Gleirscher, Miha Kosi, Darja Mihelič, Peter Mikša, Matjaž Rebolj, Mateja Rihtaršič, France Smrke, and Barbara Šatej for their invaluable assistance in the preparation of this book, as well as the Slovenian Academy of Sciences and Arts, the Faculty of Arts, University of Ljubljana, and the Slovenian Book Agency for their financial support for its translation and the Landesmuseum Kärnten in Klagenfurt for kindly lending several photographs.

I dedicate this book to Bogo Grafenauer (1916–1995) and Herwig Wolfram, the two historians whom I consider to have been my most important teachers and to whom I owe a lasting debt of gratitude. Grafenauer introduced me to scientific work during my studies in Ljubljana, while Wolfram made me see history in a new light at the Institut für Österreichische Geschichtsforschung at the University of Vienna.

Peter Štih  
Ljubljana, September 1, 2009





## INTRODUCTION

The phrase “(Slovene) medieval history” in the book’s subtitle should be understood in its geographical, not ethnic sense: it does not mean that the papers deal with the history of the Slovenes, but rather with historical developments and phenomena from the Middle Ages in the area that is today associated with (the Republic of) Slovenia. At the same time, we must be aware that even such a geographical definition can only be approximate and provisional: the contemporary framework of the state certainly should not limit our view or research when dealing with remote periods, when many political, linguistic, ethnical, and other borders differed essentially and the area had a different structure. The developments in the coastal towns of present-day Slovenia, for instance, cannot be adequately understood and described without knowledge and consideration of the conditions in the whole of Istria, the historical province that is today divided between Italy, Slovenia, and Croatia, or without giving due consideration to the roles played by the Byzantine, Frankish, or Venetian authorities in the peninsula. To quote another example, the situation is similar to that of Styria (or Carinthia, or Gorizia, etc.). Since 1918, that historical *Land*, formed in the 12th century, has been divided between two states, Austria and Slovenia (Yugoslavia) into Austrian and Slovene Styria, and the latter occupies about one third of the former *Land*. It is clear, then, that we can research and describe some chapters from its history only if we focus on Styria as a whole, regardless of its current borders; or, in other words, if we view it – and this is true of everything in history – as a variable historical category that cannot be treated outside the context of the period we are interested in.

The region addressed in individual chapters of this book is therefore generally wider than the Slovene territory, which is however their principal focus. This region extends from the Northern Adriatic in the south to the Danube in the north, and from Friuli and Venetia in the west to western Hungary or Pannonia in the east. It is largely identical with the term “Alpine-Adriatic” as it was defined in an extensive monograph by several authors on the history of the Alpine-Adriatic region published a few years ago.<sup>1</sup> It is also a region that virtually defies any

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<sup>1</sup> Moritsch 2001.

definition in terms of geographical, historical, or cultural criteria, but is nevertheless a region marked throughout history by intensive communications at very diverse levels. Furthermore, the region has always been open: individual parts were associated with centres lying beyond its borders, and they enjoyed more intensive communications with those centres than with other parts of the Alpine-Adriatic region or with centres located in the region itself. Though this facilitated a fast spread of external influences, it also turned the Alpine-Adriatic region, which is located anyway on the periphery of four great European geographical systems (the Alps, the Mediterranean, the Pannonian steppe, and the Dinaric Mountain Range), into a peripheral area of great political, cultural, and economic realms. One might even say that its peripheral nature was an outstanding characteristic of this otherwise quite centrally located European region. But as soon as we speak of a peripheral area, we take for granted contacts and encounters, since that too is a function of every periphery, and it bestows onto the idea of periphery a much more positive meaning than we usually associate with it. Those characteristics of the Alpine-Adriatic region are reflected in the following chapters in their own, specific way.

I likewise hope that the chapters of this book will show quite clearly that we cannot deal with the Middle Ages within coordinates or in ways set by a national, or rather nationalized, view of history. Numerous studies published in recent decades have made it perfectly clear that entire edifices of nationally conceived histories rest on extremely shaky foundations, and that the claimed ancient histories of nations largely obtained their image as late as the 19th century: their purpose was to awaken nationalism(s), historically legitimate the emerging nations, and satisfy their needs for historical consciousness as part of their national identity.<sup>2</sup> The notions we have of the past are not so much history in the sense that we would try to understand what once was, but rather visions of the past, nurtured by individual national elites at the time of the formation of their nations and related to their political-national ideals; visions which have remained largely unchanged through the following periods and into the present. Given the rapidly dwindling persuasive power of nationally conceived histories, their imaginations from the repertoire of ethnic-national and state-national historical interpretations – drawing borders where none existed before,

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<sup>2</sup> See Geary 2002, 25 ff.; Hroch 2005, 145 ff.

and enlisting people in individual nations in periods when nations did not yet exist – it has today become untenable to cling to concepts and explanations elaborated in the late 18th and 19th centuries; these are indeed not capable of adequately describing or understanding the historical and social dimensions that determined pre-modern society.

But how difficult it is to treat history from a wider perspective, to go beyond the national framework, and to renounce established views that are cherished as orthodox truths, is among other things illustrated by some reactions to the efforts of freeing our view of the medieval history of the Slovene territory from its national shackles in order to understand better the medieval humanity, its world and society, and in accordance with the contemporary findings of historiography and related disciplines. Among those endeavours were the great international and interdisciplinary symposium on the history of the Slovene territory and its neighbouring provinces in Late Antiquity and the Early Middle Ages, which took place in 1998,<sup>3</sup> and the 2006 Congress of Slovene Historians on myths and stereotypes in the Slovene view of history.<sup>4</sup> In spite of the fact that researchers with the highest international qualifications participated in the symposium, their papers filling two large volumes with over one thousand pages, and despite the publication, a couple of years later, of a special supplement to the symposium's proceedings – to date, the most extensive monograph on Carantania<sup>5</sup> – a critic and, what is more, historian holding the title of University Professor, viewed the symposium as little more than pure propaganda. Another critic of the same qualifications went as far as denouncing his fellow historians, who drew attention to the numerous myths and stereotypes in the view of Slovene history and who are much more critical of this history and have less nationally exalted views of it, as national renegades.

For those reasons, it seemed positively necessary to begin this book with chapters dedicated to the examination of the established national historical narrative. Those chapters lay bare the structure of that narrative, the time of its origin, and the function that narrative had. They also list concrete examples to draw attention to historical mythology, a universally valid and inevitable historical constant that is obviously indispensable to the identity of ancient and early medieval peoples, as

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<sup>3</sup> See Bratož 2000; Bratož 2000a.

<sup>4</sup> Ferenc, Petkovšek 2006.

<sup>5</sup> Kahl 2002.

well as modern nations. Finally, the following chapters plead for a “different Middle Ages.” The second section of the book is dedicated to issues pertaining to the history of the Early Middle Ages. Much attention is paid in this section to the Slavs and the Slavic ethnogeneses in the Alpine-Adriatic region, where contemporary studies of early medieval *gentes* indeed enable us to re-read known sources with a new focus, a new understanding of the information they provide and the semantics of individual terms, and to redraw the image of the Early Middle Ages in the region under study. Carantania, the principality of the Carantanians, stands out from this image in all respects: the Carantanians are the only people defined as Slavic of which we have at least some knowledge from before the late 8th century, and in many ways they played a pioneer role in the context of the entire Slavic world.<sup>6</sup> The third and last section of the book is dedicated to the High and Late Middle Ages. The chapters of those sections address various aspects of the medieval history of the region under consideration. At the same time, those chapters extend beyond that region in the sense that themes like, for instance, the southward expansion of the Bavarian nobility all the way to Istria, or the enthronement of the Carinthian dukes, which ever since the Late Middle Ages has fascinated many historians, may well be of interest to researchers who do not deal directly with the history of the Alpine-Adriatic region.

We may further say that the chapters of this book explore avenues of research that are relevant to the wider field of historiography. Nearly all of them strive to follow modern models, methodological and conceptual approaches, as well as quite concrete findings from international medieval studies. Those models and approaches (as well as findings) – as they are for instance provided by researches into early medieval *gentes*, Otto Brunner’s concept of a *Land*, or researches into the nobility – have been tested against sources and cases from the region at hand, and they have proved to be highly useful tools. Therefore, they not only enrich our knowledge and understanding of the Middle Ages between the Alps and the Adriatic, but also contribute to broader debates in the current historiography of the Middle Ages.

With the exception of the immediate neighbours of the country, the historiography produced in Slovenia, particularly that pertaining to the Middle Ages, is poorly known abroad. This is especially true of the

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<sup>6</sup> See Wolfram 1979; Kahl 2002.

English-speaking world where the lack of translations of relevant works is even more conspicuous. It is highly illustrative in this context that the present book, by its volume and contents – even though fragmentary – is by far the most extensive text by any Slovene medievalist on Slovene medieval history and among studies published in English related to that history. I therefore sincerely hope that it will serve the interested scientific community as a useful introduction to the issues addressed, and also as an invitation to further study. The Slovene Middle Ages are after all a part of the European Middle Ages and very likely relevant to various discussions going on in European medieval studies.

To conclude, the reader should be aware of the fact that all chapters of this book are studies previously published elsewhere and that adequate information on them is provided by the list of first publications at the beginning of the volume. The texts published here differ more or less from the original publications: obvious errors have been corrected in some places, the bibliographical information has been complemented in others, or the content has been expanded, while some have been (substantially) abridged, especially where their contents overlapped with other treatises. Nevertheless, a certain amount of repetition of contents has been unavoidable and I hope the reader will accept and understand its purpose. As for place names, they are given in the language of the country in which those places are now located; an exception was however made for the names of some noble families deriving from place names, since outside Slovenia such place names are better known in the German than in the Slovene form (e.g. counts of Cilli instead of counts of Celje; lords of Auersperg instead of lords of Turjak).



PART ONE

THE MIDDLE AGES, SLOVENE HISTORIOGRAPHY,  
AND THE NATIONAL FORMATION OF THE SLOVENES





## CHAPTER ONE

### ON NATIONALISED HISTORY, MYTHS AND STEREOTYPES

A bronze relief unveiled a little over a decade ago will serve as a useful introduction to the issues that will be addressed below. The relief adorns the new door of the main, western portal of the archdiocesan cathedral of Ljubljana. The special significance, which the western portal of a church generally has in certain liturgical contexts is enhanced here by the fact that the door has been consecrated by no other than Pope John Paul II on the occasion of his first visit to Slovenia in May 1996. At the symbolic level, the pope not only consecrated the cathedral's door, but also the Slovenes themselves and their history. The door is indeed called the "Slovene door" and it illustrates the fate of the Slovene people in individual scenes and from the viewpoint of ecclesiastical history. What is of particular interest to us is the door's bottom section, dominated in the centre by a mighty linden as the symbol of Slovenehood. The scene to its left relates to the baptism of Cacatius and Hotimir, the first two Christian princes of Carantania, from the time they were hostages in Bavaria. To the right of the linden stands the Prince's Stone, described as the "symbol of the first Slovene state" in the accompanying leaflet. The Prince's Stone, surrounded by a large crowd, is the scene of a symbolic act (sacrifice?), but it is certainly not connected with the enthronement ceremony of a new prince, the function which this upside-down Ionic column is otherwise supposed to have served. In the background we can see the bell-towers of the church of Maria Saal in Carinthia, and the door's right border is occupied by the image of a bishop giving blessings. This is "Modestus, the bishop of Maria Saal," worshipped by the Catholic Church in Slovenia as the first apostle of the Slovenes.

The images on the door thus present the Christianisation of the Slovenes and their state in a way that is familiar from the repertoire of national historical consciousness. They reflect the collective awareness of the Slovenes of their past, and in this perception the relief refers to one of the most important moments in national history. A historian who is relatively familiar with the history of the Alpine-Adriatic area in



Fig. 1. The western portal of Ljubljana Cathedral, bottom section (photo P. Štih).

the Early Middle Ages can only shake his head in disbelief at such an explanation of history and describe it as mythical. Mythical it is indeed, and it has been known for quite some time that national perceptions of old history are essentially unhistorical and little more than reflections of our modern time, its needs and notions. But this does not change the fact that this mythical perception exists and even prevails because of its deep roots and widespread acceptance. The image of national history among the Slovenes acquired its basic features over two hundred years ago and it has hardly changed to the present day, nor is it likely to change, at least not in public use. To support this statement we may well turn once more to the above-mentioned door of the Ljubljana Cathedral; not only does it reiterate the old mythic notion of the nation's past, keeping it alive in the present, but the very fact that the door is meant to be viewed for generations to come implies that it also preserves it for the future.

*Visions of the Past*

The relationship between myths and stereotypes on the one hand, and national history on the other hand, derives from the essence of the nation. This essence, commonly accepted today,<sup>1</sup> was defined by the French scholar of religion Ernest Rénan over a century ago – in 1882. After rejecting one by one objective criteria like race, language, religion, shared economic interests, and geographical area, which were usually considered to be the foundations of modern nations, he came to the following conclusion: “A nation is a living soul, a spiritual principle. Two things, which in truth are but one, constitute this soul, this spiritual principle. One is in the past, the other in the present. One is the common possession of a rich heritage of memories; the other is the actual consent, the desire to live together /.../. The nation, like the individual, is the outcome of a long past of efforts, and sacrifices, and devotions. To have common glories in the past, a common will in the present; to have done great things together, to will to do the like again. The essence of a nation is /.../ a daily plebiscite.”<sup>2</sup>

Following this famous definition of a nation by the consent of its members, nations are communities of identity, forged by a “we-feeling” or the awareness that things exist which are “ours” alone, and typical of “us” alone, and which therefore differentiate and delimit us from others. The image we have of other (neighbouring) nations, in which hostile notions often prevail, is an equally essential part of our own identity as are the notions of since when we exist, from where we are, and what we are (as a nation). The past and the memory of it – history in one word – is thus equally a basic element of every nation and its national identity as is the “daily plebiscite” required to preserve this community in the present. History is not only an essential element of every nation; without a history there can be no nation. The memory and awareness of a shared fate in the past, which continuously extends back to the birth (*natio*) and origin (*genesis*) of an individual, nationally defined community, legitimises its existence in the present. This need for history is not so much about searching for historical truth, but primarily

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<sup>1</sup> See François, Schulze 2001, 17.

<sup>2</sup> Rénan 1947 (used English translation: [http://www.archive.org/stream/poetryofcelticra00renauoft/poetryofcelticra00renauoft\\_djvu.txt](http://www.archive.org/stream/poetryofcelticra00renauoft/poetryofcelticra00renauoft_djvu.txt) [visit of April 2009]). The Slovenes were introduced to this important text before the First World War; a translation was published in *Napredna misel* 2 (1913–1914), 110–25.

a need to build and preserve the “we-feeling” and with it national consciousness and identity in the present, and to give this community the feeling that it is permanent and legitimate.<sup>3</sup> History, then, is a means to legitimise the nation. National history is therefore assigned a quite specific function, meaning that is committed to certain objectives, which in turn means that it is not capable of being impartial or independent. The result of all this is that the history of modern European nations is more a construct than a reconstruction, more fiction than reality. Historical myths are therefore essential to such a history. In the form of simplified and stereotyped constructs they evoke historical images that have little in common with the realities of life and history, projecting contemporary wishes and notions into the past.<sup>4</sup>

National histories structured in this vein started to form in the last decades of the 18th and 19th centuries and they are a product of European nationalism. In the service of national ideologies visions of the past formed which considered the European nations as clearly delimited, stable, and objectively definable social and cultural communities, existing as virtually unchangeable categories with an undisputed continuity from at least the Early Middle Ages, and living more or less outside historical time and exempt from historical criteria. Those pseudo-historical images, which continue to prevail in Europe at the level of historical memory and consciousness, were adopted as entirely self-evident and undisputed historical realities in the 20th century, even though they are utopian projections. Seemingly ancient histories and the demands derived from them, which brought millions of people out on the streets and cost as many lives, actually acquired their appearance only slightly earlier. The history of Europe’s nations is therefore not so much determined by the Rankean paradigm of “how it really was” as by Eric Hobsbawm’s “invention of traditions.”<sup>5</sup>

### *Nationalisation and Mythologisation of History among the Slovenes*

In much the same way as elsewhere in Europe, the Slovenes associate in the perception of their own history the beginnings of the Slovene

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<sup>3</sup> Cf. Hobsbawm 1990, 14 ff.; Langewiesche 2000, 19 ff.; Anderson 1996, 44 ff.; Schulze 2004, 105 ff.; Geary 2002, 25 ff.

<sup>4</sup> See François, Schulze 2001, 17 ff.; Germer 2001, 33 ff.; Graus 2002, 49 ff.; Vilfan 2001, 49; Wiwjorra 2006, 8 ff.

<sup>5</sup> Hobsbawm, Ranger 1983.

nation, and with them the beginnings of national history, with a distant past. According to more radical notions, usually referred to as theories of indigeneity, the Slovene national history started already in prehistoric times. Those notions assume a generic and continuous line of development between the prehistoric inhabitants – the most recent favourites are the Veneti – and the present-day Slovenes, bestowing on the Slovenes a history of over two thousand years.<sup>6</sup> According to other and much more common ideas, largely generated and established by Slovene historiography, the beginnings of the national history of the Slovenes are associated with the settlement of the Slavs in the Eastern Alps in the late 6th century, often unabashedly represented as the settlement of the *Slovenes*.<sup>7</sup> Both notions understand ethnic identity as an objective category, definable by means of language. Consequently, they see the Venetic or Slavic language community as an ethnic community of Slovenes, existing since long as an undisputed and essentially unchangeable historical reality.

Such a perception of the nation's past is a perfect reflection of the "European maturity" the Slovenes are supposed to be constantly trying to achieve, but in reality have been practising all the time. Like other European nations, the Slovenes acquired the basic ideas about their own history, which continue to dominate their collective historical consciousness, at the time when they started to form into a nation; a part of this formation process was indeed, as we mentioned above, a new, national view of history resulting in the inception of Slovenia's own national history. These processes, though, did not start in the Early Middle Ages, but much later, in the late 18th century, when history was nationalised in function of the nation's formation. By establishing a national history stretching back to the time of King Samo and the

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<sup>6</sup> See Štih 1996c, 66 ff.; Bratož 2003–2004, 267 ff.

<sup>7</sup> See e.g.: Kos F., Gradivo 1, who starts his collection of sources for the history of the *Slovenes* with the early 6th century, and where the first chapter of the introductory historical survey is entitled "The conditions before the arrival of the *Slovenes*." In Gruden 1912, the first section following the brief introduction starts with the Slavs in their original homeland and the "arrival and settlement of the *Slovenes* in the Alpine lands." Kos M. 1933, a thoroughly revised second edition was published in 1955 under the title "History of the Slovenes from the settlement to the fifteenth century;" the title refers to the *settlement of the Slovenes*, and the overview of the history of the Slovene area before the settlement is introduced by the title: "Before the settlement of the *Slovenes*." Similarly, Grafenauer 1978, in the subtitle "From the *settlement* to the introduction of the Frankish order." Finally, the Legal history of the *Slovenes* by Vilfan, 1961, has the subtitle "From the *settlement* to the fall of the Old Yugoslavia" [all italics by P. Š.].

Carantanian princes, the Slovenes indeed acquired one of their principal identity anchors, and at the same time one of the most important means for legitimising themselves as a nation, for their emancipation, integration and, last but not least, differentiation from other nations.<sup>8</sup>

The beginnings of an articulated awareness that a special community of the Slovenes existed go back to the second half of the 16th century, but the Slovene Protestant writers understood it as a language community, not a real national community. Reading Primož Trubar (d. 1586) and his companions, we see that they address the Slovenes as a community of the same language (and not [yet] as a community with a shared history). Correspondingly, their articulation of the awareness that a special language community of the Slovenes existed did not derive from a national, but from a religious concept, originating from Paul's Epistle to the Romans and his belief that every language praises the Lord.<sup>9</sup> This absence of any interest in the history of the Slovenes (as a community defined by language), without which nations cannot exist, is the most telling indication that the Slovene Protestants did not consider or acknowledge the Slovenes of the 16th century as a national community.<sup>10</sup>

The primary and central element around which the Slovene identity started to form was thus their language and it could hardly have been different. History and the resulting fragmentation of the area between the Eastern Alps and the Adriatic Sea into several states and *Länder* separated its inhabitants more than it united them. In this area with highly differentiated identities in political, historical, and consequently also in other respects, the only real option to establish a shared identity was the similarity of the dialects spoken by the local population.<sup>11</sup> The horizon set by the views of the Slovene Protestants was no longer

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<sup>8</sup> See Štih 2005, 109 ff.

<sup>9</sup> Rom. 14:11 (*Omnis lingua confitebitur Deo*). Primož Trubar, the central figure of Slovene Protestantism, emphasized this biblical starting-point of his reformation activities on the title page of his *Abececlarij* from 1550 (Zbrana dela Primoža Trubarja 1, 311), one of the first Slovene books. The writer of the first Slovene grammar, Bohoriz, 1584, 1, 4, as well as Jurij Dalmatin, the first translator of the entire Holy Bible into Slovene (1584), also referred to this starting-point (see: *Pisma slovenskih protestantov*, 281).

<sup>10</sup> A telling fact is that Primož Trubar, who was the first to use the word *Slovinci* (Slovenes) in 1550, never referred to himself with this term, because he could not (yet) express his identity with it. The community of which he viewed himself a member was the *Land* of Carniola; Trubar thought of himself as Carniolan. He also defined himself on several occasions by his birthplace Rašica.

<sup>11</sup> Grdina 1999, 228.

framed by the borders of states and *Länder*, but extended across them to the farthest extent of the Slovene language. This was an enormous shift in awareness and it led to the question voiced much later, at the time of the national awakening of the late 18th century, whether this special language community of the Slovenes, extending across the borders of the *Länder*, had a shared history and historical legitimacy deriving from it.

The first to answer the question positively was Anton Tomaž Linhart (d. 1795). He was the first to see the language-based community of the Slovenes as a historical community as well, and he defined a new, national view of history beyond the then customary historiography, which focused on the history of the *Länder* and dynasties.<sup>12</sup> Linhart presented his new concept of history in his unfinished book, written in German, “*Versuch einer Geschichte von Krain und den übrigen Ländern der südlichen Slaven Oesterreichs*,” of which two volumes were published in Ljubljana in 1788 and 1791 respectively.<sup>13</sup> In conceptual terms, Linhart started from the existence, perceived by the Protestants, of a special language community of the Slovenes that extended across the borders of the *Länder*. He was nonetheless a dedicated freethinker in the era of the rationalist historiography of the Enlightenment, which placed the history of civilisation in the forefront. In the methodological sense, Linhart’s adoption of language as a historical source was of vital significance. It was through this methodological approach that he basically adhered to the then burgeoning comparative-philological method of identifying peoples by their language. This method, which will become the dominant paradigm in the nineteenth century, understood *Sprachgeschichte* as *Volksgeschichte*, and on this basis the Slovenes were considered a special Slavic people already in the scientific circles of Linhart’s time.<sup>14</sup> This among other things enabled the Slovenes to relate to themselves Herder’s famous romantic formulations about the Slavs, the concise and lucid character of which had a vital impact on the stereotypical (self)-image of the Slovenes, both in an affirmative (Herder had described the Slavs as peace-loving, hospitable, and hard-working),

<sup>12</sup> See Štih 2005a, 291 ff.

<sup>13</sup> Linhart 1788; Linhart 1791. The first volume was published under the somewhat anachronistic title *Versuch einer Geschichte von Krain und der übrigen südlichen Slaven Oesterreichs*, corrected in the second volume into *Versuch einer Geschichte von Krain und den übrigen Ländern der südlichen Slaven Oesterreichs*. The title pages of the first and second volumes were printed in five versions; see Gspan 1967, 250.

<sup>14</sup> Vilfan 2001, 46; Wiwjorra 2006, 151 ff.



and in a negative sense (Herder ranked the Slovenes among the peoples without history and incapable of leading an independent life and having their own state, since they had long exchanged their former grandeur for the chains of slavery, even though in a [temporally undefined] auspicious future they would certainly shake off these chains).<sup>15</sup>

In the spirit of his time, Linhart conceived history biologically and nations as objective givens. According to the model of a family tree, all peoples (and languages) emerged from the division of old ones. The Slovenes were thus identified as a special branch of the Slavic tree or, in other words, as a special Slavic nation, defined in addition to language by its specific history, but for reasons of the focus on the *Länder* it had been ignored in the past. Linhart quite clearly expressed his standpoint in the advertisement of his book published in *Laibacher Zeitung* on August 17th, 1786: “This people, dwelling in the southern part of the Austrian area between the Drava and the Adriatic Sea, belongs to the great, magnificent Slavic branch of nations; by language and origin it belongs to one and the same branch and it is only accidentally – though historically not quite correctly – divided into Carniolans and Wends; and this people deserves a history of its own. In the past it has been presented to us only in fragments and scattered over the annals of the *Länder* where they lived, but never joined into a whole of their fates and adventures.”<sup>16</sup> Linhart thus established a concept of national history which sees the Slovenes as a clearly differentiated historical, linguistic, and cultural community, different from others, with an undisputed continuity. Baron Sigismund Zois, the sponsor of the Slovene national awakening activists, rightly viewed Linhart’s concept a “completely new system.”<sup>17</sup> Linhart extended the national history of the Slovenes to the Early Middle Ages and revealed the importance of Carantania to that history; the concept gave the Slovenes their own history, beginning in much the same period as other European nations.

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<sup>15</sup> Herder 1966, 433–435. For the Slovene reception of Herder’s 1791 famous text on the Slavs, see Sundhaußen 1973, 151 ff.; Vilfan 1996, 45 ff. In addition Slovene romantic ideas about the life of the ancient Slavs/Slovenes were influenced by the reception of Procopius’s description of the sixth-century Slavs on the Lower Danube, on the border of the Byzantine Empire. Fran Saleški Finžgar’s novel *Pod svobodnim soncem* (Under a Free Sun, first published 1906–1907) had a particularly strong role in that respect. The novel is set in the historical framework of Procopius’s description, which the writer knew from paraphrased Slovene translations in *Gradivo* 1, published by F. Kos from 1902.

<sup>16</sup> Linhart 1950, 562–563.

<sup>17</sup> Pogačnik 1991, 92.

That this was national history projected into the past, to periods when the Slovenes as a language or ethnic community did not yet exist, was something Linhart was not aware of, and neither were others in his wake.

*The Slovenes and Carantania – from National Glory  
to a Collective Mirage*

Armed with Linhart's concept, the Slovenes were finally able to show that they had a history of their own and that it was comparable to the histories of other European nations. Moreover, they were able to claim that their history was not just old, but indeed glorious. This medieval Slovene glory referred, on the one hand, to the notion that the Slovene ethnic territory of the 9th century was three times bigger than it is today, extending to the north as far as the Danube between Vienna and Linz and even across the river. This belief has survived into the present and until recently nobody has thought of questioning it and consigning it the place where it really belongs – the dustbin of historical myths. The *Slavs* indeed settled a great part of present-day Austria in the Early Middle Ages, but it was Slovene historiography that turned them into *Slovenes*. It was simply an axiomatic truth, and even when it had become quite clear that languages and nations are two different things, nobody attempted to give substance to this "truth," or to expand on arguments for identifying the Danubian Slavs – after all, in a similar perception of nationalised history the Slovaks claim them as their ancestors as well – as Slovenes and the territory of their settlement as Slovene ethnic territory.<sup>18</sup>

But more than to this notion of the great extent of the Slovene ethnic territory, the belief in the glorious history of the Slovenes in the Early Middle Ages really referred to Carantania. Based on a historical source, the *Conversio Bagoariorum et Carantanorum* from 870, which calls the Carantanians a Slavic people, it was not hard to link them to the

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<sup>18</sup> The only exception is Vilfan 1968, 35 and note 3, who acknowledges that it is an anachronistic claim, but simultaneously defends it by claiming that these Slavs of the 8th and 9th centuries lived in similar conditions to those of the Slavs in present-day Slovene territory. Living conditions are however not an argument in favour of ethnic affiliation, because the latter does not depend on them: different ethnic communities may live in the same living conditions and, vice versa, one and the same ethnic community may live in different living conditions.

Slovenes.<sup>19</sup> A second, no less essential element, and symbolically even more important aspect linking the Slovenes and the Carantanians, was the enthronement of the Carantanian princes and (later) dukes of Carinthia. The ceremony is known in detail from late medieval descriptions, which indicate that it was held in the Slovene language. Additional identification with the Slovenes, in addition to language, was provided by the fact that the “enthroner” was a peasant, and in Slovene historical perceptions “peasant” was more or less synonymous with “Slovene.”<sup>20</sup> This ceremony, which at the symbolic level handed over the authority in the *Land* to the new prince, or later the new duke, embodied not only the statehood of the Carantanians in the Early Middle Ages, and that of the duchy of Carinthia in the Late Middle Ages, but it was also or chiefly understood as a reflection of the statehood of the Slovenes.

Another notion, important to the self-perception of the Slovenes in the 19th and 20th centuries, was the belief in the democratic nature of the social order within the free state of Carantania. In particular the fact that an ordinary peasant symbolically handed over authority to the duke attracted attention, and according to the most far-fetched interpretations the enthronement was one of the sources of the American *Declaration of Independence* from 1776. In its first section Thomas Jefferson indeed emphasized the equality of people and the inalienability of their basic rights, and this presumably indicated that the roots of American and consequently global democracy went back to Slovene Carantania. There is no historical support for such interpretations,<sup>21</sup> but in the beliefs of the Slovenes about their own history they associated Carantania with concepts like freedom, state, and democracy, which clearly belong to the standard repertoire of every national ideology and national movement. It does not come as a surprise then that, in the process of the national formation of the Slovenes, Carantania was perceived as the cradle of the Slovene nation. And this meant that Carinthia, which is in other respects located on the fringe of the Slovene ethnic-linguistic territory, was made into the very centre of Slovenehood.

The outcome of the Carinthian plebiscite of 1920, which meant that the whole of Carinthia remained in Austria, therefore caused huge disappointment and frustrations south of the Karavanke mountains.

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<sup>19</sup> *Conversio Bagoariorum et Carantanorum*, c 3.

<sup>20</sup> See Vilfan 1993b, 229 ff.

<sup>21</sup> For details, see Štih 2005b, 33 ff.

Zollfeld was felt to be a Slovene Kosovo polje and turned into a “convenient metaphor for venting the nation’s collective frustrations.”<sup>22</sup> But in spite of that so unfavourable political reality, Carantania lost none of its importance to the historical self-perception of the Slovenes before or even after the Second World War. Moreover, Slovene historiography not only clung to the old, nationalised explanations of early medieval history, but even escalated them, generating and preserving the nation’s historical myths. That this was often done quite intentionally is clearly indicated by the title of the most comprehensive monograph on Carantania’s history in Slovene. In 1952, Bogo Grafenauer, the leading Slovene medievalist and one of the most influential figures of domestic historiography, published a book entitled “*Ustoličevanje koroških vojvod in država karantanskih Slovencev*” (The enthronement of the Carinthian dukes and the state of the Carantanian Slovenes), with an extensive German summary entitled “*Die Kärntner Herzogseinsetzung und der Staat der Karantanerslawen*” (The enthronement of the Carinthian dukes and the state of the Carantanian Slavs)!<sup>23</sup> Because Grafenauer was a far too accomplished historian not to be aware of the enormous semantic difference between the terms Slovenes and Slavs, the double title can only be interpreted as his paying lip service to the nation-building myth for “domestic use” and his Slovene audience. In general, the presentation of older Slovene history in Slovene historiography remained distinctly Carantania-centric. In line with this approach, Carantania was defined as the “central axis of the entire Slovene history in the Early Middle Ages”<sup>24</sup> and the historical development derived from that emphasized that after the fall of the Carantanian “Slovene state,” Carantania was elevated to the status of a special stem duchy following its separation from Bavaria in the late 10th century. The newly established duchy of Carinthia with its wreath of border marches was called “Great Carantania.” This highly suggestive name, nowhere to be found in the sources, is thus an ordinary terminological construct, used exclusively in Slovene historiography, beginning with Josip Gruden in 1912.<sup>25</sup> The “logical” conclusion of the presented development – its one-sided and consequently faulty use of the historical sources exaggerates the admittedly great importance of Carantania

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<sup>22</sup> Grdina 1996, 57.

<sup>23</sup> Grafenauer 1952.

<sup>24</sup> Grafenauer 1978, 366.

<sup>25</sup> Gruden 1912, 94. Gradivo 2, LIV, still refers to a “greater Carantania.”

within the Bavarian prefecture<sup>26</sup> – was that “the names of Carantania and the Carantanians spread to all Alpine and Pannonian Slavs and their territories. From then onwards and throughout the centuries those two terms have referred to what are today called Slovenia and the Slovenes.”<sup>27</sup>

As a result, no effort was spared to prove that direct continuity existed between early medieval Carantania and the Carantanians and contemporary Slovenia and the Slovenes. A single fact shows us just how questionable such a presentation of the historical development is: there is no trace of continuity in the names of the Carantanians and Slovenes. Looking closer, we see that there is a continuity of the Carantanian tradition only in Carinthia, which also adopted the Carantanian name. Unlike Carinthia, the historical memory of Carantania was not continuously preserved south of the Karavanke Mountains, but the tradition was discovered – as we saw earlier – by Linhart and established backwards in time. In Carinthia, however, Carantanian history was perceived as part of the history of Carinthia from the very beginning of its historiography: John of Viktring in the 14th century, Jakob Unrest in the 15th century, Theoprastus Paracelsus in the 16th century, as well as Michael Gothard Christalnick and Hieronym Megiser in the late 16th and early 17th centuries.<sup>28</sup>

The direct link between Carinthia (and not the Slovene nation) and the Carantanian tradition is probably most conspicuous in the

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<sup>26</sup> An especially untenable opinion is that Carantania under Karlmann's son Arnulf was a stem duchy of the rank of Bavaria, Swabia, Saxony, and Franconia, or that *regnum Arnolphi* means the same as *regnum Carantanum*. See Štih 1986, 215 ff.; Svetina 1993; Dopsch 2002, 143 ff.; Schmid 2002, 187 ff.

<sup>27</sup> Grafenauer 1968, 132. The claim is not supported by the sources. They first of all clearly indicate that the Carantanian name was not even used for all the “Alpine Slavs,” let alone the Pannonian Slavs, and neither did it include the Slavs in the Sava basin, Istria or Friuli. The Annals of Fulda are the only contemporary source permitting the interpretation that the term Carantanians (sic!) referred to the area of the Bavarian Eastern Prefecture, a territory which was of course inhabited by Bavarians and Avars as well, not just Slavs. On the other hand, Slavs lived outside the Bavarian Eastern Prefecture as well (in Istria and Friuli), in what was at the time Carolingian Italy, a remark showing Grafenauer's conclusion to be historically flawed. See Wolfram 1995, 39 ff., 68 ff.

<sup>28</sup> John of Viktring, who described in great detail the enthronement of Count Meinhard (IV) of Tyrol and Gorizia as duke of Carinthia in *Liber certarum historiarum* in 1286, associated it with the Carantanian Early Middle Ages as well as with the story of Ingo and an anecdote on the dispute between Meinhard and his brother Albert about the grant of Moosburg; see Grafenauer 1952, 95 ff.; Štih 1997b, 46. On the connections of the enthronement with the Carantanian period in Unrest, Paracelsus, Christalnick, and Megiser, see Mihelič 2000, 855 ff., 859 ff., 871 ff.

enthronement ceremony of the Carinthian dukes. We can probably associate the beginnings of the ceremony on the Prince's Stone with the period of Carantanian principality in the 7th and 8th centuries. Though there is no way to prove this claim, there is no better alternative either. And it is further logical to surmise that the participants in the ceremony can only have been members of the Carantanian community or, in other words, the people under the lordship of the Carantanian prince. But as far as we know to date this lordship never extended south of the Karavanke Mountains and Kamnik Alps (with the probable exception of the Slovenj Gradec area).<sup>29</sup> The Prince's Stone later became the symbol of lordship of the duchy and *Land* of Carinthia, as is among others evident from the Carinthian arms carved into the top section of the monument in the Late Middle Ages. In the High and Late Middle Ages, the Prince's Stone was associated with the handing over of authority, but only in reference to Carinthia, and in this period the stone had no pan-Slovene connotation, nor did it symbolize any lordship over Carniola or (Lower) Styria.<sup>30</sup> Even when after 1414 the ceremony was no longer in use, the memory of it was preserved exclusively in Carinthia and indeed turned into one of the principal elements of the *Land's* consciousness and the pride of the Carinthian nobility and Estates. It was only after absolutism prevailed and the Estates were marginalised that the memory of the ceremony started to fade and the Prince's Stone sadly ended up in a peasant's backyard, from which it was purchased by the Historical Society for Carinthia in 1862 and transferred to Klagenfurt, where it remains to this day.<sup>31</sup>

The facts described above leave us with no other conclusion: from a historical point of view, the Prince's Stone is a Carinthian monument and therefore in the first place a symbol of Carinthia's past. The Slovenes, on the other hand, also perceive the Prince's Stone as a fundamental symbol of their history.<sup>32</sup> The reasons for the nationalisation (by the Slovenes) of this symbol of the *Land* of Carinthia have been stated above. They are connected with a belief that started to take shape at the time of the national formation of the Slovenes: that the beginnings of the national history of the Slovenes go back to Carantania. This set of

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<sup>29</sup> On the issue of Carantania's extent, see most recently Štih 2006b, 119 ff.

<sup>30</sup> Kahl 2000a, 989.

<sup>31</sup> For details, see Štih P., Knežji kamen in njegovo potovanje skozi čas. Karantanija ni bila prva slovenska država, in (newspaper) Delo 24. 11. 2005, 9.

<sup>32</sup> Some documentation is gathered in Alfred Ogris 1993, 729 ff.

notions is subsumed under the notion of the “Carantanian myth,” the strongest nation-building myth among the Slovenes; consequently, the Prince’s Stone, which to the Slovenes embodies ancient Slovene glory – a glory that never existed – is the most powerful symbol of Slovene history.

We must however point out that the above argumentation does not mean that the present-day Slovenes have nothing in common with the early medieval Carantanians, or that there is no connection between them. The most obvious connection is that of language. Modern Slovene undoubtedly developed among others from the language spoken by the Carantanians. The continuity is quite tangible in this respect.<sup>33</sup> But at the same time we should be aware that Slovene also developed from the language spoken by the Slavs outside Carantania – along the Sava, Soča (Isonzo), Savinja, Mura rivers and elsewhere – and that from this same language, spoken by the early medieval Slavs of the Alpine-Adriatic-Pannonian area, another language developed, based on the same linguistic continuity, namely the language spoken on the other side of the Sotla, modern Croatian. Linguistic development, even if it is continuous, is therefore neither determined nor unambiguous, but it was quite deliberately steered in the 19th and 20th centuries, drawing borders between languages where previously none had existed.<sup>34</sup> The linguistic continuity between the Carantanians and Slovenes permits us to state at the most that the Carantanians were among the ancestors of the present-day Slovenes, but we cannot consider them as their ancestors, let alone equate them with the Slovenes. But precisely such claims have been made, and in addition to the above described views, the trend is clearly illustrated by the syntagma “Carantanian Slovenes” that is so common in Slovene historical literature, including scientific works. These claims place the Carantanians at the same level and in the same relationship to the Slovenes as those implied when referring to present-day Carinthian, Prekmurje, or Primorska Slovenes.

The idea of a one-to-one relationship between peoples and languages is the basis for such a perception, which in turn led to the

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<sup>33</sup> Concerning the issue of linguistic continuity we must however remind ourselves that total continuity exists everywhere in the development of languages (with the possible exception of the language of the Israelites/Jews). All modern languages result from the undisputed continuous development of spoken languages. Cf. Graus 2002, 66.

<sup>34</sup> Cf. Geary 2002, 41 ff.

notion questioned above of a Slovene ethnic territory extending in the Early Middle Ages all the way to the Danube, as well as to the equally dubious notion of Carantania as a Slovene state. That idea, although developing in connection with the rise of comparative philology as an academic discipline in the late 18th and 19th centuries, and – like all other human sciences – in the context of European nationalisms, is in fact much older. In its archaic form, it goes back to the Old Testament's story on the building of the Tower of Babylon. The notion sets the birth of peoples at the time when different languages emancipated themselves from their common Germanic, Slavic, Romance, or Hellenist origins, and language communities were then considered to be synonymous with ethnic communities. In other words: language communities were not understood merely as communities connected by language, but also as political, social, legal, cult(ural), and religious communities.<sup>35</sup> Another discipline making its first steps in the world of science at the same time was based on similar premises, but on another type of material. In prehistoric archaeology, Gustav Kossina formulated the thesis that archaeological cultures corresponded with individual peoples.<sup>36</sup> It became, however, soon evident that this method of determining ethnicity by means of material artefacts led to enormous misconceptions and blunders, and archaeology still feels its after-effects.<sup>37</sup>

Similarly, in the late 19th century, Rénan had already reached the conclusion that the premise equating peoples with languages was wrong, and that the image of history based on it was thus equally wrong (and mythical as well). Modern human sciences equally consider the premise to be wrong. Just how wrong it is, is best illustrated in modern Europe by the examples of the Swiss and the Germans: the former are one nation that speaks three languages; with the latter, one language is shared by three nations (the Germans, Austrians, and some of the Swiss). For the Early Middle Ages, the premise is most radically refuted by the examples of the Franks, Lombards, and Visigoths, all of whom abandoned their Germanic languages and adopted Romance ones, without however changing their ethnic identity, as they continued to be Franks, Lombards, and Visigoths. A distinction must then be

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<sup>35</sup> See Geary 2002, 39 ff.; Wiwjorra 2006, 37 ff.

<sup>36</sup> Kossina 1911, 3.

<sup>37</sup> Cf. Jones 1997; Brather 2000, 139 ff.; Prezelj 2000, 581 ff.; Brather 2004; Bierbrauer 2004, 45 ff.



made between ethnic and language communities,<sup>38</sup> because the ethnic identity of a community is not expressed by the language (or languages) spoken in the community, nor its material culture, but by the ethnic name of that community. And since the Carantanians had a different name from the later Slovenes, this means that their ethnic identity was different from the Slovene identity, and that we cannot equate them with the Slovenes. In ethnical terms there is thus a clear divide between Carantanians and Slovenes, and this means discontinuity.

Contrary to such fundamental insights, Slovene historians have until recently clung unreflectingly to premises established in the late 18th and 19th centuries and to indefensible concepts. Equating the Alpine Slavs in general and the Carantanians in particular with the Slovenes, and by such means setting the beginnings of the Slovenes as a nation in the 6th or 7th century, amounts to little else than nationalising history. At this point the national history of the Slovenes, “reconstructed” in this way, appears to be a classical historical myth, painting an image of history which it never possessed. And it is therefore necessary to assert very plainly that early medieval Slovenes are like a mirage: we see them, talk about them, but in reality they never existed.

*The Servility Myth and its Outlet: The Stereotype about the Germans*

Since, however, in those nationalised and mythicised beliefs the glorious history of the Slovenes – embodied by King Samo, independent Carantania and the enthronement of its princes – was confined to the Early Middle Ages, it could not cover the entire span of the nation’s history. From the later periods, and given the lack of a state tradition, the only segments of national affirmative significance the Slovenes could “appropriate” for themselves were the Protestant writers, the peasant uprisings, and to some extent the counts of Cilli. It was thus not possible to fully construct an image providing the nation with a sufficient historical identification potential from this former but long passed glory. What was required was a new, complementary formula, as simple and as effective as possible to supplement and to explain the nation’s history over a millennium. That formula was found in martyrdom, in a thousand years of suffering of the Slovene people, in short in the

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<sup>38</sup> See Wenskus 1961, 87 ff., 133 ff., Pohl 1998, 22 ff.

servility myth.<sup>39</sup> This myth perceives the history of the Slovenes as the history of a small and diligent nation, oppressed for centuries, suffering and toiling under the yoke of foreign masters, before they finally manage to free themselves of the millstone of misery, fulfill their dreams of a thousand years, and become a nation – a nation with its own state (to some Slovenes those dreams were fulfilled in 1918, to others in 1945, and, according to the latest interpretation, in 1991).

In a somewhat exaggerated and compensated form, the notion was approximately such: the Slavs, or usually the Slovenes *tout court*, settled their present homeland in the late 6th century under Avar slavery or servility. In the conflicts with their external enemies they managed to free themselves for a short period and establish their own state – democratic Carantania. Alas, the Avar yoke was replaced by a German one before the end of the 8th century and the Slovenes were incorporated in the framework of a foreign, German state, where they vegetated, serving foreign lords for over a millennium. Initially they were court servants, later at best poor peasants which the feudal order exploited with particular venom. They had no nobles or burghers of their own since the social elite was made up of foreigners, especially Germans, joined at most by Italians. Consequently, Slovene was the language of the peasants who died on the battle field for foreign kings and emperors. And if those domestic hardships were not dire enough, they were raided time and again by the Turks. To them the Slovenes hardly put up any fierce defence, but rather suffered in resignation.

The beginnings of such a perception were already articulated by Linhart, who thought that the subjugation to the Franks inaugurated the era of living “under German laws,” that the peaceful, hospitable, and brave Carniolan Slavs were defeated and humiliated, but that they nevertheless kept alive the love of their suppressed homeland and identity.<sup>40</sup> If we understand the pioneer of Slovene national historiography correctly, Frankish-German lordship started off this miserable period of the nation’s history. However, he did not expand on the theme because his unfinished work ended with the subjugation by the Franks. It was however not an isolated Slovene view, but corresponded with the views on the Slavs held in the German area, e.g. by Johann Gottfried Herder or by Linhart’s scientific model, Karl Gottlob Anton. Anton

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<sup>39</sup> See Vilfan 1996, 44 ff.; Vilfan 2001, 46; Štih 2001c, 313 ff.

<sup>40</sup> Linhart 1791, 180 ff.

published a book on the ancient Slavs in 1783. Linhart was not only familiar with that book, from which he quoted extensively, but he also wrote enthusiastically about it to his friend Martin Kuralt in 1784, announcing that in writing his “*Versuch einer Geschichte von Krain /.../*” he would follow its example.<sup>41</sup> Anton wrote on the Lusatian Serbs, with whom he was quite familiar: “/.../ they know all too well that they were the lords of this land that is now owned by their enemies, the Germans. The atrocities committed against them are still fresh in their memory and they survive on the hope that at some time they will rear their heads again and bring their oppressors under the yoke.”<sup>42</sup> In the year when the second volume of Linhart’s “*Versuch einer Geschichte von Krain /.../*” was published (1791), Herder expressed similar views in his “*Outlines of a Philosophy of the History of Man*,” writing that “the German tribes horribly treated the Slavs” who wanted to live in peace in their land and that “the Slavs were wiped out in entire provinces or made into serfs, and their properties divided among the bishops and nobles,” “what remains of them in Germany is similar to what the Spanish did to the Peruvians.” However, he also felt that “a bright future awaits these deeply fallen peoples [of the Slavs],” but it would come only after they freed themselves of the “chains of slavery.”<sup>43</sup>

The eighth sonnet of France Prešeren’s “*Wreath of Sonnets*,” first published in 1834, and which the literary historian Anton Slodnjak referred to as “the tragedy called Slovene history,”<sup>44</sup> shows that this image of a bipolar, two-level national history, consisting of initial glory and later suffering, was quite common among the Slovenes in the pre-March period. The only bright, positive figure in the sonnet is King Samo, but Pippin (Charlemagne’s father) signals the “yoke” on “enslaved shoulders,” “our fathers’ bickerings,” “roaring tempests,” “bloodstained revolts” and “plundering Turks,” and the readers had to have at least some idea what the poet had in mind with these expressions. The first “*History of the Slovene nation*” written in Slovene by Janez Trdina in 1850 (it was published much later, in 1866) has a similar tone.<sup>45</sup> Here too the loss of independence under Charlemagne

<sup>41</sup> Linhart 1950, 292, 428. For Anton’s influence on Linhart, see also Štih 2005a, 297 and note 46.

<sup>42</sup> Anton 1783, 36.

<sup>43</sup> Herder 1966, 434 ff.

<sup>44</sup> Slodnjak 1946, 235.

<sup>45</sup> Trdina 1866. The preface to the book among others proclaims that “a nation without history is like a traveler without a passport,” that we have to “apply all our

“brought great misery to the Slovenes,” but Trdina’s history differs from Prešeren’s versified historical synopsis in that, in addition to the “two hundred years of a free Slovene duchy [of Carantania; note P. Š.]” the 16th century is hailed as the “Golden Age of the history of our nation.”<sup>46</sup>

National history contained within these coordinates was understandably first adopted by the narrow educated circles, and it became part of the historical consciousness of the wider population only when the Slovene national movement turned into a mass movement and history was put at its service. The two first manifestations of the movement’s mass character were the elections of the provincial diets in 1867, when the Slovenes won the majority in the *Landgemeindenkurie* (the “Rural Estate”) in nearly the entire Slovene ethnic territory (and in the *Städtekurie* [the “Town Estate”] in Carniola as well). Equally important in that respect was the *tabor* (political rally) movement of 1868–1871, when the political programme of a United Slovenia received massive support and the nation’s history with its integration and identification potential was directly called upon. A good example of the functionalist use of history is the invitation to the *tabor* in Žalec on September 6th, 1868, which starts with these words: “In ancient times our forefathers were a free and independent people. When they had to discuss common matters they gathered in the open air, in the shade of bushy lindens, deliberating and expressing their wishes and needs without fear, and they settled peacefully what they wanted and needed. But then dark times befell our Slovene people – as they fell into slavery and nearly disappeared in centuries of hardship. The people lost all their self-confidence, carrying their heavy burden in resignation, and in a state of weariness and negligence did not even dare to think of how to improve their miserable condition and free itself of the yoke weighing them down. Today, a millennium later, we again have the legal right to gather in the open air and to discuss all matters we deem necessary and

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energies to bring to light the history of the Slovene people, possibly written in a domestic (popular) way so that the people will understand it,” that “the history of our nation written by a foreigner is like the bread a stepmother cuts for her unloved children,” and the like. All this makes it quite clear that the intention of the book was to strengthen the Slovene national identity and self-confidence, and that history was used in the classical functional role it has in national movements.

<sup>46</sup> Trdina 1866, 114. For additional examples of the perception of Slovene history with 19th century writers, see Melik 2000, 17 ff.; Vilfan 1996, 44 ff.

worthy.”<sup>47</sup> The *tabor* movement, which started to turn the Slovenes from an amorphous mass into a politically organised mass,<sup>48</sup> also made history into an important means of political agitation and an instrument of national politics. The social role history played in the formation of national identities was thus largely completed in the case of the Slovenes, and that the servility myth was preserved and remained popular in the following periods must be chiefly credited to Slovene politics because the appeal to rise up against the thousand years of servility and for liberation was a highly successful and popular slogan of political propaganda.

This view of the general line of Slovene historical development also failed to change in the new historical circumstances of the 20th century. Slovene historiography not only preserved the old image, but after the Second World War and the related revolution even wrote in its programme of 1947 that “Slovene history is primarily the history of the peasantry” and that “the class struggle of the Slovene subjects against the foreign lords was both our domestic and foreign policy,” and that consequently the focus of Slovene historiography could not be “the foreign nobility and the battles fought on our soil and about our soil between these foreigners.”<sup>49</sup> Unsurprisingly, this perception of history turned the castles in Slovenia into symbols of the social and national oppression of the Slovenes and during the “ultimate peasant uprising,” as Maja Žvanut<sup>50</sup> termed the Second World War in Slovenia, many of them were burned down, and extensive, precious archive material was destroyed.

Not that there was a lack of funeral tones either. In 1930, for instance, Melita Pivec-Stele chose as the motto of her highly regarded book on the economic life of the Illyrian Provinces, published in Paris, the following words: “The most miserable country in the world.”<sup>51</sup> Ljudmil Hauptmann, one of Slovenia’s leading (and finest) medievalists, willingly or unwillingly bestowed a scientific appearance – which historians later rejected – on the myth of the millennium-long servility of the

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<sup>47</sup> Melik 2002, 375. At the first *tabor* in Ljutomer, its chairman addressed the crowd in similar words, saying that after a millennium of oppression the time had finally come when the Slovene nation was once more allowed – as were our forefathers – to gather and deliberate in the open air, and that this heralded better times. See Vošnjak 1982, 243.

<sup>48</sup> Grdina 2003, 37.

<sup>49</sup> Grafenauer 1947, 22 ff.; Cf. also Štih 2001d, 61 ff.

<sup>50</sup> Žvanut 1994, 8.

<sup>51</sup> Pivec-Stele 1930.

Slovenes with his “servility theory.” His basic thesis was that the Slovenes had never been capable of an independent state and political life, and that that life was organised for them by foreign powers – including Carantania, because the *kosezi* (German: Edlinger) were simply Croats who ruled over the Alpine Slavs in the footsteps of the Avars. In their history the Slovenes had always been, as Hauptmann put it vividly, an anvil, hammered on first by the Avars, then the Croats, and finally the Germans.<sup>52</sup> In general, we can say that Slovene historians of the recent past did not attempt to distance themselves critically from the servility myth and the stereotypes related to it.

The only exception was Sergij Vilfan, but even he first turned against such notions in his later works of the 1990s.<sup>53</sup> Predictably, the first serious criticism of such a presentation of old Slovene history had to come from abroad. At the congress of Slovene historians in Celje in 1982, Nada Klaić, a professor of medieval history at the University of Zagreb, Croatia, criticised Slovene historiography for “decapitating the nobility” and focusing exclusively on the subjects-peasantry. She argued that in doing so, Slovene historians (self)mutilated the nation’s history and deprived it of its political history.<sup>54</sup> Her criticism was even fiercer in a hypercritical, but also rather unbalanced contribution to the discourse on the conditions in Slovene historiography and medieval studies, which was published five years later in the (history journal) *Zgodovinski časopis*. She denounced (Linhart’s) conception of the history of the Slovenes as plainly “poisonous” and claimed that the Slovene medievalists continued to “poison their nation” with it, blaming them for “first pleasing the nation with the story about a free state [Carantania, note P. Š.] and then burying it with the story about “centuries long suffering.” The consequences of such “below-standard work” were “tragic,” because “faced with a formerly free state and an exploited peasantry, the contemporary Slovene public hardly has any idea in what political circumstances their ancestors lived.”<sup>55</sup> In reply, Bogo Grafenauer wrote that Klaić’s opinion was no less than “an attack on Slovene historiography as a whole,”<sup>56</sup> but the criticism of the spirited professor from Zagreb was not without a grain of truth.

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<sup>52</sup> See Štih 1999f, 159.

<sup>53</sup> See Štih 2007b, 175–190.

<sup>54</sup> Celjani 1983, 93.

<sup>55</sup> Klaić 1987, 549 ff.

<sup>56</sup> Grafenauer 1988, 123.

One of the basic stereotypes connected with the myth of a millennium of Slovene servility involves the Germans, who are connected with a list of negative attributes in Slovene historical beliefs longer than that of any other people. Even the Turks, who are unanimously viewed as “Asians” in the long tradition of West-European stereotypes,<sup>57</sup> got away with less resentment. The Germans were responsible for the replacement of the domestic princes with Frankish counts and accordingly for the fall of free Slovene Carantania. This meant that “the Slovene society lost its ruling social class which was replaced by foreign lords. /.../ The Slovenes were from then on confined to the lower social classes. For many centuries to come the words “Slovene” and “peasant” were nearly synonymous.”<sup>58</sup> This political and social disaster was further associated with an ethnical-national one, for which again the Germans were blamed. The Slovenes of the 9th century had achieved “their greatest national-territorial extent” but this was followed by the “denationalisation of the Slovene soil by the Germans,” and in the second half of the 10th century the “extensive Germanisation” started.<sup>59</sup> The German lords and their colonists managed, according to these notions, to Germanise nearly two thirds of the “Slovene ethnic territory” by the end of the Middle ages, moving the Slovene-German ethnic border from the Danube to the Drava in Carinthia;<sup>60</sup> in line with these notions, the noblemen were agents of colonisation and as a consequence dubbed foreigners-Germans, whose only goal was to exploit the domestic peasantry – the Slovenes.

Such views of history were of course an excellent breeding ground for the origin and maturation of hostile ideas about the northern neighbours of the Slovenes. In particular in connection with the national antagonisms of the 19th century and the tragic experience of the Second World War, a vision was created in which the Slovenes were constantly exposed to German pressures aimed at their annihilation throughout their history. However, in spite of these constant threats and Germanisation pressures, the Slovene nation managed, according to this view of history, to “survive miraculously.”<sup>61</sup> The notion of a Slovene-German

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<sup>57</sup> See Gießauf 2005, 255 ff.; Gießauf 2006, 31 ff.

<sup>58</sup> Grafenauer 1965, 135.

<sup>59</sup> Kos M. 1951, 9 ff.; Kos M. 1955, 140 ff.

<sup>60</sup> The map showing this Slovene trauma is put into question in the chapter “A Plea for a Different View of Ancient Slovene History” below.

<sup>61</sup> Cf. Vilfan 1996, 53.

conflict was at this point joined by another notion, equally born in the 19th century, of a gigantic historical battle between the Slavic and Germanic worlds along a line extending from the Baltic to the Adriatic Sea.<sup>62</sup> The Slovene-German relationship in history was generally not seen as peaceful cohabitation of good neighbours, and much less of cooperation and alliance.<sup>63</sup> Instead, Slovene historians stressed the constant antagonism and struggle, an idea feeding into present-day apprehensions about the northern, Austrian neighbours, unanimously regarded as heirs of the Germans.

Such hostile, stereotypical views of the Germans, which were largely a product of as well as a means for the national formation of the Slovenes, are far from historical reality as we perceive and try to understand it today. The basic characteristic of these notions is that they project modern concepts, terms, thought patterns, and recent conditions into the past. In addition to the national conflicts of the 19th and 20th centuries, this is particularly true of the belief in the existence of the Slovenes as a national community in the Early Middle Ages, to which I referred above. This belief led (quite logically indeed) to the idea that Carantania was the state of the (Carantanian) Slovenes. But since we cannot yet talk of Slovenes in the Early Middle Ages, Carantania cannot have been a Slovene state – it was the state (if we allow ourselves to use this modern-age term in an early medieval context) of the Carantanians.<sup>64</sup> Generally, the states of the Middle Ages were not nation states, as often believed, because this again amounts to projecting concepts of the 19th and 20th centuries back into history. The myth that the Slovenes lived in a foreign, German state for a millennium is historically unfounded as well. Here we must draw attention to the fact that the notion attributing to the medieval Holy Roman Empire the character of a German national state, is only in part a (Slovene) home-grown notion based on the servility myth. It was partly also formed under the influence and impression of German historiographical literature and propaganda in the period, starting with Bismarck and ending

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<sup>62</sup> See Wiwjorra 2006, 147 ff., especially 169 ff.

<sup>63</sup> The latter is among others well illustrated by the Carinthian peasant uprising from 1478, which was of course far from exclusively Slovene, as is usually thought in Slovenia, because it was joined by German-speaking peasants from Upper Carinthia.

<sup>64</sup> Such is the title of the most recent monograph on Carantania and the Carantanians: Kahl 2002, which of course conveys anything but the syntagma of “the state of the Carantanian Slovenes.”



with Hitler's Germany, which presented the empire as an exclusively German polity and the embodiment of Germanic-German glory.<sup>65</sup>

In reality and to put in simple terms, the Holy Roman Empire usually referred to (in Slovene) as the "German Empire," was not at all a German nation state, but primarily aspired to be a restored Roman empire.<sup>66</sup> The official title of its rulers was therefore "Emperor of the Romans," and they never carried the titles "King of Germany" or "Emperor of Germany;" they wanted to unite under their sceptre not only German speaking populations, but the different peoples and provinces of Christian Europe. The association of this medieval empire with the Roman idea of a universal state was most clearly formulated a millennium ago by the young emperor Otto III (994–1002), whose political programme was captured by the motto "Renewal of the Roman Empire" (*Renovatio imperii Romanorum*); in the famous picture of the evangeliary intended for him he is shown as an emperor to whom personified *Roma*, *Gallia*, *Germania*, and *Sclavinia* pay homage. In the present context it hardly matters what exactly was meant with the term *Sclavinia*, but rather that Otto's imperial ideal was not confined to Germania. Moreover, when the name of this empire was expanded with the addition "of the German Nation" in the 15th century, this did not mean that it was confined only to the provinces where German was spoken. The addition was introduced when Emperor Maximilian had to bury his hopes concerning Italy and meant above all that the empire largely confined itself to the areas north of the Alps.<sup>67</sup>

Related to the issue of "states" in the Middle Ages and in the context of any discourse on mythicised history, the following is also of importance: the state or tribal formations (as we also call them) of the Early Middle Ages were ethnically defined just as modern states are nationally defined. But there is a gap of centuries between them, centuries when the state – manifesting itself in the Slovene territory and the German area especially in the form of *Länder*, in Italy on the other hand in the form of city-states – was formed in accordance with criteria which were neither ethnic nor national. At least in Central Europe, the continuity between the ethnic and national states is therefore merely a

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<sup>65</sup> See e.g. Goetz 1999, 65 ff.

<sup>66</sup> Schulze 1998, 13 ff. in 137 ff.

<sup>67</sup> Vilfan 1995, 58; Schulze 1998, 50 ff.

semblance and is just yet another one of those notions that emerged at the time of the formation of modern nations and their states.<sup>68</sup>

Generally speaking, “national affiliation” and “nation state” are mental categories of the modern era and they were unknown in the Middle Ages; medieval sovereigns never exercised a kind of national policy in the present-day meaning of the term. The attitude of this state (whether the empire or *Länder*) to Slovene peasants was basically the same as it had to be to their Bavarian or Bohemian peers or to the German-speaking “compatriots” in Carinthia or Styria. Until the period of nation building there is no information that the Slovene-speaking people regarded this state as foreign. An individual’s Slovene extraction and Slovene language had no negative connotations all by themselves, and neither of the two was legally discriminated. It is of course true that they were not advantages either and that successful integration in the empire’s multilingual community, where German prevailed, depended on linguistic adaptation for pragmatic reasons. The simplified – and therefore erroneous – opinion that the Slovenes lived in this empire as in a foreign state and that they were subject to singularly harsh exploitation “measures time with a yardstick and cloth with degrees”<sup>69</sup>, and at this level too generates a gratuitous historical inferiority complex.<sup>70</sup> The same is true of the claim that the Slovenes were a nation of peasants. But should we not ask ourselves which European nation was not a nation of peasants before the modern era and the industrial revolution?<sup>71</sup>

Just how untenable – and for the same reasons of nationalised history – are the claims that the Slovene ethnic territory extended to the Danube and that two thirds of this territory were lost due to German pressures, has been explained above. Moreover, “Germanisation” as the process of settling (mainly) Bavarian colonists in the Danube basin and the Eastern Alps was long perceived as a systematic national strategy of German expansion and equated with the calculated Germanisation in Carinthia and Styria of the 19th and 20th centuries, in which the Church was thought to have played an important role.<sup>72</sup> In reality,

<sup>68</sup> Vilfan 1995, 49.

<sup>69</sup> Vilfan 1995, 59.

<sup>70</sup> See details on the nature of medieval state formation in Štih 2001a, 1 ff.

<sup>71</sup> See Vilfan 1993b.

<sup>72</sup> Vrhovc 1879, 47, held that the Christianisation led from Salzburg was part of a systematic Germanisation strategy and that the “German priests from Salzburg ... were an instrument of Germanisation,” while Aquileia “was more of a friend than an

however, medieval Germanisation – at least in our case, which partly differs from the Germanisation of the lands to the east of the Elbe River, carried out outside the borders of the empire and therefore by the sword<sup>73</sup> – was the result of a perfectly natural, economically determined process of gradual agricultural colonisation and transformation into cultural landscapes fit for living and economic exploitation.<sup>74</sup> It was driven by the scarcely nationally tinted interests of the (secular as well as ecclesiastical) landlords to increase the revenues from their land complexes. To achieve this goal, they expanded the area of arable land through colonisation, and the peasants who lived on and worked this new land brought them additional revenues in the form of duties. It did not matter to the landlords whether these revenues came from Slovene or German speaking peasants. But if there were not enough domestic colonists, they had them brought in from elsewhere. In the Slovene case, this mostly meant colonists from Bavaria.<sup>75</sup> But it was not always that way: when, after the devastating plundering raids of the Magyars had ended, the patriarchs of Aquileia started to rebuilt the economic resources of Friuli, where most of the original population had been killed or taken into captivity, in the second half of the 10th century, they settled the province with Slavic colonists from the Slovene territory, and this was of course far from Slavicising or Slovenising it in the sense of national politics.<sup>76</sup> That indeed everyone was welcome as a colonist to work the land, regardless of his legal, social, or ethnic-linguistic status, is clearly illustrated by the permission Henry III granted to Bishop Adalger of Trieste in 1039, allowing him to recruit people wherever he could get them and settle them as workers on the diocesan estates.<sup>77</sup>

There can be little doubt that in the course of time colonists transferred from elsewhere turned into natives of the environment where they were born, lived and died, regardless of the language they spoke. A good illustration – though from a somewhat later period – is the

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enemy to the Slavs.” Similarly, Kos F. 1982, 198 wrote that: “the German bishops, especially the archbishops from Salzburg, caused more harm to the Slovenes in the national aspect than the patriarchs of Aquileia and their suffragans.” The thesis that the Salzburg-led Christianisation “actually also meant the Germanisation” of the Slovenes was later elaborated and defended by Kuhar 1959, on whom see Štih 2001e, 149 ff.

<sup>73</sup> See Schlesinger 1974.

<sup>74</sup> Clearly demonstrated in Vilfan 1977, 567 ff.

<sup>75</sup> See Kos M. 1970, 73 ff.; Vilfan 1974, 581 ff.; Posch 1991, 408 ff.; Štih 1996d, 195 ff.

<sup>76</sup> Štih 1999c, 146 ff.

<sup>77</sup> D. H. III, no. 12; See Štih 1999c, 153 and note 680.

Carniolan polymath Johann Weichard Valvasor (d. 1693): his origins lay in Bergamo in northern Italy; in his writing he was above all a German; he spoke German and Slovene, and in his patriotic consciousness he was a Carniolan, as is documented by his correspondence with the famous London Royal Society, a member of which he was. In 1685, he mentions the Idrija mine and Lake Cerknica “in my homeland, that is Carniola.” And the following year, he writes: “We have some animals, known in German as *Bilch*, and in our Carniolan language as *polhi* (i.e. dormice),” and one year later: “This lake was known to ancient writers as *Lugea palus*, more recently *Lacus Lugeus*, to today’s Latin writers it is *Lacus Cirknizensis*, to Germans *Zirknitzer See*, and to us Carniolans it is *Cerkniško jezero*.”<sup>78</sup> What was true of the nobleman Valvasor – that his consciousness of a “we-affiliation” established itself in relation to the homeland, the *Land* where he lived – can apply to every single peasant from Upper of Lower Carniola, whether he spoke Slovene or German: they both felt Carniolans and Carniola was their shared homeland.

Contrary to the above described cases, which show how the Slovene area became the new homeland of noble families and their members from elsewhere, the prevailing stereotype about the nobility in Slovene historical notions, which perceive Slovene history largely as the history of the Slovene peasantry, is that they were foreign exploiters – Germans.<sup>79</sup> It is an undisputed fact that all leading families of the high nobility who ruled in the Slovene territory in the Middle Ages were of foreign extraction – from Bavaria, Franconia, and other German areas.<sup>80</sup> But what about the nobility of the present-day Austrian area that was of similar extraction?<sup>81</sup> In Carinthia, for instance, the Spanheims who moved there from Franconia, are considered natives, but the Slovenes proclaim them foreigners, although they are no less important to Slovene history than to Carinthian history, since they founded two towns in present-day Slovenia (Ljubljana and Kostanjevica), two important monasteries (Kostanjevica and Bistra), and they acquired the area of Žumberak (which remained Carniolan until the establishment of the Military Frontier) for Carniola, which started to form into a *Land* precisely under their rule.<sup>82</sup>

<sup>78</sup> Korespondenca Janeza Vajkarda Valvasorja, 21 (22), 25 (27), 52 (71).

<sup>79</sup> See Štih 2001d, 61 ff.; Preinfalk 2004, 507 ff.

<sup>80</sup> See Štih, Simoniti 1995, 71 ff.

<sup>81</sup> For the Early Middle Ages, see e.g. Mitterauer 1963.

<sup>82</sup> See Štih 2003, 55 ff.; Komac 2006, 147 ff.

Some of these noble families lived in the Slovene territory for generations, were responsible for its progress, welfare, and culture, made great contributions to the defense of the country in which they lived, and were born and buried there. To declare them foreigners is a paradoxical and unfair claim. These people did not think of themselves as foreigners and, as illustrated by Valvasor, they considered Carniola their homeland and home. Following this peculiar logic, according to which Valvasor should be considered a foreigner because of his Italian origin (but he of course is not, because he is too important to Slovene cultural history and its cultural historical identity) we are all foreigners in our country, since probably only a handful or people may be able to demonstrate that their ancestors lived in this territory for five or more generations. The fixation of Slovene historiography on a concept of national history built exclusively on the “Slovene peasantry” even manifested itself in the case of the counts of Cilli, who are held to be the most “Slovene” noble dynasty and the bearers of the myth about Slovene statehood in the Middle Ages.<sup>83</sup> The negative assessment of their politics, which supposedly did not unite the Slovenes but rather fragmented them even more,<sup>84</sup> may be understandable from the standpoint of historiography judging historical development by an exclusively Slovene yardstick, or from the position of the Slovene nation in the modern age, but it is nevertheless extremely unfair and anachronistic, because it expects dynasts from the 15th century to act as national politicians and leaders of the 19th or early 20th centuries.

It took the 1982 congress of Slovene historians in Celje – the first ever to include in its programme a theme on the nobility (a round table discussion on the counts of Cilli) – for Slovene historians to acknowledge openly the need to revise their own picture of the past in order to include the nobility. The acknowledgement was voiced by the moderator of the round table discussion on the Cillis, Ferdo Gestrin, who in his introduction stated that he thought it necessary “to correct now our entire opinion of the feudal class in the Middle Ages and to include in our studies the activities of this class in our environment in Slovene history.”<sup>85</sup> Nowadays the nobility, ignored for so long, is one of the central themes of Slovene medieval studies, and the role of the nobility in Slovene history has been at least partly rehabilitated.<sup>86</sup>

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<sup>83</sup> See Štih 1999g, 13.

<sup>84</sup> Grafenauer 1965, 402.

<sup>85</sup> Celjani 1983, 93.

<sup>86</sup> See Štih 2001e, 61 ff.; Preinfalk 2004, 507 ff.; Kos D. 2005, 13 ff.

To conclude, I think that the present survey shows quite clearly that the image of Slovene national history – of the kind that was formed in scientific circles as well as the image known at the level of historical memory or diffused in public use – is to a large extent a captive of various myths, stereotypes, and notions developed in Europe in the 19th century, in the period of the formation of modern nations and nation states. It is not unique to Slovenia, of course, and is valid for more or less all European nations, but the question is whether the Slovenes as a modern nation, constituted as a nation in all respects and internationally legitimised, still need such myths, which have played their role in the past and are now practically deprived of any real function. The answer can probably only be negative and it is therefore, as Sergij Vilfan was wont to say, more than necessary to add a greater dose of realism to traditional historical clichés.<sup>87</sup>

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<sup>87</sup> Vilfan 2001, 49.

## CHAPTER TWO

### THEORIES OF INDIGENEITY AND THEIR LIKE AMONG THE SLOVENES

Who are we? What are we? Where are we from? These are age-old questions and obviously of profound interest to humanity, or else we would not carry on asking them and searching for answers. A person's identity – and this is what these questions are all about – is defined not only by his name and surname but, among others, also by the community in which he lives and his personal and shared history. And when history is involved we cannot fail to notice people's fascination with the beginnings, a fascination largely rooted in obstinate and still prevailing convictions about the organic, biological growth of peoples. This thought pattern assumes an ancient uniform and shared past, and it sees the beginning of development in a genetically definable core from which individual peoples then "evolved." Drawing on notions of the origin and development of individual languages, the idea of a genealogical tree was formed, according to which all peoples emerged from the separation of the ancient peoples. The notion is as old as the Old Testament, was still fully accepted at the time of Romanticism, and is widespread even nowadays. The older and more glorious the past a people has, the greater its importance in the present, and the more attractive its identity. And this notion gave rise to efforts to present the history of an individual people as old and as glorious as possible, and to move its "beginnings" back into an as distant as possible past. As a result, various theories emerged on who the "ancestors" of individual peoples and nations were.

Theories of indigeneity occupy an important place among these beliefs. They are by definition theories according to which the first settlers in a certain area belonged to the people that occupies that selfsame area today. Furthermore, they usually include conjectures and notions pushing back the beginnings of individual, modern nations, as far as prehistory, when they supposedly already settled their present homelands, as well as theories claiming that the basic identity (usually language) defining a present-day nation was formed already in ancient times, and has been preserved largely unchanged into the present.

According to such notions historical development is linear, continuous, and genetically determined.

### *Historical Overview*

Theories of indigeneity and similar conjectures on the origin of the Slovenes have a surprisingly long tradition among the Slovenes and on the Slovene territory. We find them already in some texts of the Slovene Protestants from the 16th century, long before the time when, beginning with the Carinthian Jesuit of Slovene extraction Marko Hansiz (1683–1766), the nowadays commonly accepted opinion spread that the Slavs settled in the Eastern Alps at the turn of the Early Middle Ages, bringing to the area their language from which among others modern Slovene developed.<sup>1</sup>

The belief in the indigeneity of the Balkan Slavs can be traced in the Christian tradition to as early as the 10th century, specifically in a letter of Pope John X (914–928) to the Croatian king Tomislav and Prince Michael of Zahumlje, stating that the Slavs were Christianised in apostolic times.<sup>2</sup> A legend belonging to the context of these beliefs is that the Slavic, Glagolitic, script was invented by St Jerome, a Church Father born somewhere at the border between Pannonia and Dalmatia around the mid 4th century. Under the influence of the Glagolites – in the Middle Ages they were active among the Slovene speaking population of Istria as well – and their tradition, this claim was entered in a charter of Pope Innocentius IV from 1248, which granted the bishop of Senj permission to conduct Slavic service in his diocese.<sup>3</sup> Probably in the 14th century, a forged charter of Alexander of Macedonia appeared, supposedly granting in 335 to the Slavs an enormous territory extending from the north to the southern borders of Italy.<sup>4</sup> The belief in the indigeneity of the Slavs in Illyria and their Christianisation in apostolic times is further recorded in the Russian Primary Chronicle from the early 12th century. The chronicle draws its information on the origin of the Slavs from the Holy Bible, an undisputed source of knowledge in the Middle Ages. The chronicle mentions the Illyrians/Slavs among the

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<sup>1</sup> Mihelič 1977, 306 ff., especially 312 ff.

<sup>2</sup> *Historia Salonitana maior*, 95 ff.; Klaić 1972, 32.

<sup>3</sup> Niederle 1906, 73; *Fontes historici liturgiae glagolito-romanae a XIII ad XIX saeculum*, no. 3; *Monimenta Sclavenica*, no. 35.

<sup>4</sup> Cf. Simoniti 1973, 225 ff.



descendants of Japheth, one of Noah's three sons who divided the earth by lot after the Great Flood. The story of the construction of the Tower of Babylon is followed by the claim that the Noricans were Slavs as well, and in connection with the installation of Methodius as archbishop of Sirmium, the Rus' chronicler refers to the legend about the missionary activities of Paul the Apostle and his disciple Andronicus among the Slavs in *Illyricum*.<sup>5</sup> Based on the Russian Primary Chronicle, such and similar notions about the ancient homeland of the Slavs spread in the 13th and 14th centuries to historiographical works in Poland and Bohemia, and according to Lubor Niederle, who gives a detailed account of the development, even to some Byzantine chroniclers of the 15th century, who considered the tribes of the Illyrians, Thracians, Dacians, Adriatic Veneti, and others to be Slavs.<sup>6</sup>

The Slovene territory had at least indirect knowledge of the tradition of Nestor's Chronicle. The famous Sigismund Herberstein (1486–1566), a native from Vipava at the western edge of present-day Slovenia, where he among others learned Slovene, twice travelled to Russia as a diplomat in the service of the emperors Maximilian I and Ferdinand I. His observations and experiences in Russia, published in *Rerum Moscoviticarum comentarii* in the mid 16th century, were the first to introduce this vast and largely unknown realm to Western Europe. Quoting the Russian Primary Chronicle, Herberstein wrote that the Slavs, who were called Noricans, derived from Japheth and that they once lived along the Danube in the area of contemporary Hungary and Bulgaria, from where they dispersed under different names.<sup>7</sup> We may assume that Herberstein became acquainted with the Russian Primary Chronicle or its tradition in Russia. Another reflection of the ideas of indigeneity – that the Illyrians were Slavs – may be tentatively attributed to the leading Slovene Protestant writer Primož Trubar (1508–1586). His Latin signature *Philopatridus Illiricus* (Illyrian patriot) in the Catechism of 1550 is usually interpreted in this vein because it corresponds with his contemporary signature *Peryatil vseh Slouenzou* (Friend of all Slovenes) in the *Abecedarium* from the same year.<sup>8</sup> Another Protestant, Adam Bohorič (ar. 1520–1598), equated the Slavs with the Veneti and the Vandals, corroborating their glory and ancient

<sup>5</sup> Povest' vremennyh let 1 ff.; on the chronicle itself, see Tschizewskij 1948, 174 ff.

<sup>6</sup> Niederle 1906, 73 ff.; cf. Mihelič 1977, 304.

<sup>7</sup> Herberstein 1549, 4. On Herberstein's life, see Golia 1951, 187–195.

<sup>8</sup> Kidrič 1930, 75 ff.; Grafenauer 1988c, 378.

age with the above-mentioned charter of privileges Alexander the Great granted to the Slavs and with St Jerome inventing the Glagolitic script.<sup>9</sup> Influences of biblical and Rus' traditions are still detectable in the writings of Marko Pohlin (1735–1801) from the second half of the 18th century. Pohlin, whose "*Kraynska kroneka*" (Carniolan Chronicle) (1770, 1788) was the first historical text written in Slovene – rightly scorned as a *Bibel- und Fabelgeschichte* by the sponsor of Carniola's enlightened intellectuals, Baron Sigismund Zois<sup>10</sup> – voiced his belief in the Slavic nature of the Illyrian language in the preface to his "*Kraynska grammatika*" (Carniolan Grammar) (1768), claiming that it emerged right after the separation of peoples following the Great Flood.<sup>11</sup> Some researchers assumed that he was inspired by the work "*Il regno degli Slavi*" from 1601, written by Mauro Orbini, a Benedictine monk from Dubrovnik, the author of the first Pan-Slavist manifesto among the South Slavs; however, the book was put on the Vatican index of Prohibited Books already in 1603.<sup>12</sup> Another residue of the theory about the Illyrian origin of the Slavs is in the poem "*Ilirija oživljena*" (Illyria Revived) by Valentin Vodnik (1758–1819). It was written in 1811, at the time of the Illyrian Provinces and the French dominion over the Carniolan, Gorizian, Istrian, and part of the Carinthian Slovenes. The poem celebrates Slovene history and the Illyrian origin of the Slovenes, and it expresses a political enthusiasm that contrasts with the poet's historical views in his earlier works ("*Povedanje od slovenskega jezika*" [The Story of the Slovene Language] from 1798 and the textbook written in German "*Geschichte des Herzogthums Krain, des Gebiethes von Triest und der Grafschaft Görz*" from 1809).<sup>13</sup>

Overall, the 19th century was the period when these theories of indigeneity, influenced by Romanticism and the formation of national consciousness and emancipation, easily attracted supporters and worshippers among the Slovenes, but they saw history largely as a means of national and political affirmation. One of the writers in this spirit was

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<sup>9</sup> Bohoriz 1584, the last two pages of the short preface (Praefatiuncula); Kidrič 1930, 76; Mihelič 1977, 305. Mihelič includes among the Slovene indigenists Jurij Dalmatin, who in the German preface to the Slovene translation of the Holy Bible (Wittemberg 1584) writes about the importance of the Slavic language and its great spread, but not on the origin of the Slavs.

<sup>10</sup> Cf. Zwitter 1939, 362; Kidrič 1933–1952, 417 ff.

<sup>11</sup> Pohlin 1768, 4.

<sup>12</sup> Orbini 1601.

<sup>13</sup> Gspan 1958, 58 ff., 191 ff.; Grafenauer I. 1917, 84 ff.; Kos J. 1990, 113 ff.

Jakob Zupan (1785–1852), a linguist and poet, and the leading Slovene Pan-Slavist and advocate of the Illyrian idea of the period. Zupan had the potential to become a great scientist and Jernej (Bartholomäus) Kopitar had high hopes for him, but in his article on the etymology of the names of Carinthia's rivers from 1831 Zupan's patriotism prevailed over science.<sup>14</sup> This was also the time of the Styrian Slovene Anton Krempl (1790–1844), a national awakening activist and ecclesiastical writer, and the author of the first historical book written and published in Slovene – “*Dogodivšine Štajerske zemle: Z posebnim pogledom na Slovence*” (Occurrences in the Land of Styria: With a Special View to the Slovenes) (1845), marked by distinctly uncritical, Romantic notions, among them indigeneity. In this book, Krempl attempted to substantiate the Slavic origin of the Illyrians, Noricans, and all branches of the Veneti, based on linguistic grounds.<sup>15</sup> Another supporter of indigeneity from the time around the mid 19th century was Zupan's disciple Matevž Ravnikar-Požencan (1802–1864) from Upper Carniola. He was a collector of folk songs and self-taught historian, who under the influence of romantic patriotism developed a theory on the uniformity of the Slavic languages and the great expansion of the Slavs, equating them with the Veneti.<sup>16</sup> Other supporters of the theory of indigeneity were the prolific writer Peter Hitzinger (1812–1867)<sup>17</sup> and Matija Sila (1840–1925).<sup>18</sup>

Considering the extent of his activities, his endurance and the acclaim he won, the most outstanding figure among these supporters certainly was Davorin Trstenjak (1817–1890), whom Anton Slodnjak described as a man of letters, mythologist, etymologist, historian, and liberal Catholic publicist.<sup>19</sup> He adopted his belief that the Slovenes were native to their country from Anton Krempl, with whom he socialised as a student. The opposing claims of historians from Graz, among them Muchar and Knabl, who minimised the Slovene role in the history of Styria, strengthened Trstenjak's belief in the theory of indigeneity and motivated him to read Šafárik, Kollár, and other champions of indigeneity, gradually turning into one of its most radical apostles to the point

<sup>14</sup> Cf. Suhadolnik 1980–1991, 870 ff.

<sup>15</sup> Slodnjak 1974, V ff.; Grafenauer 1979, 44; Grafenauer 1981a, 17.

<sup>16</sup> Cf. Koblar 1960–1971, 48.

<sup>17</sup> Hitzinger 1855 (many sequels); Cf. Janša-Zorn 1996, 206.

<sup>18</sup> Sila 1882; Cf. Šlebinger 1960–1971, 308.

<sup>19</sup> Slodnjak 1980–1991, 196 ff.

that he argued not only that the Slovenes had always lived in their present territory, but that a wide range of peoples on all three continents of the Old World once belonged to the Slavs.<sup>20</sup> His pure amateurism shows in the baseless etymological and mythological constructs he elaborated to “substantiate” his theories, which had the national/political objective of strengthening the meek national consciousness of the Slovenes and opposing the anti-Slovene disposition of the German camp. In spite of his ardour in defending the theory of indigeneity, Trstenjak nevertheless manage to summon the courage in his old age to renounce it at least indirectly, when he said in a conversation with Matija Murko, a Slavacist, literary historian and classic of Slovene ethnology: “You had Miklošič’s books and other linguistic works, but what did we have when we started out?”<sup>21</sup>

The series of Slovene supporters of indigeneity continued with Davorin Žunkovič (1858–1940), an officer and, needless to say, amateur linguist, who was a hugely prolific writer, bursting with energy and interested in all things possible.<sup>22</sup> In numerous texts, many published as books (especially in German, as well as in Czech), he argued that the Slavs were native to Central Europe and claimed that it was possible to trace their linguistic trail back down to the Ice Age (the Pleistocene). He was attracted by the apparent connection between the Etruscans and Slavs, and declared the Germanic runes to be a Slavic alphabet.<sup>23</sup> Žunkovič gathered a circle of followers and collaborators, among whom we should mention Ivan Topolovšek (1851–1921), who studied comparative linguistics in Innsbruck and Vienna (Fran Miklošič was among his professors in Vienna), but did not complete his studies. In agreement with Žunkovič he presumably studied languages, including wildly exotic ones, to prove the common origin of languages and published a book on the theme, dedicated to the ancient linguistic relatedness of the Indo-Germans, Semites and “Indians” (Native Americans).<sup>24</sup>

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<sup>20</sup> For a bibliography of Trstenjak’s principal “historical” texts, see Kos F. 1982, 63 ff. and note 1, with accompanying criticism of Trstenjak’s work. On the broader implications of Trstenjak’s writings for the operation of the Historical Society for Carniola, see Janša-Zorn 1996, 62 ff., 232 ff.

<sup>21</sup> Murko 1911, 269; cf. Grafenauer 1988, 354.

<sup>22</sup> Cf. Hartman 1980–1991, 1016 ff.

<sup>23</sup> Žunkovič 1904; Žunkovič 1911. For criticism, see Murko 1911, 266 ff. and note 49 below.

<sup>24</sup> See Orožen 1980–1991, 142.

Žunkovič of course drew fierce criticism and one of his defenders was the well-known politician and publicist Henrik Tuma (1858–1935), who equally shared the idea of ancient Slavic indigeneity. Tuma was the only author who defended Slavic indigeneity in the real sense of the word. The Slavs/Slovenes/Veneti were the first human settlers not only of present-day Slovene territory but of all Europe, and they arrived in an area “without inhabitants.”<sup>25</sup> Tuma gradually elaborated his theory, among others in his review of the famous novel by Fran Saleški Finžgar “*Pod svobodnim soncem*” (Under a Free Sun, first published in 1906/1907), in which the writer uses the settlement of the Slavs in the Balkan peninsula in the 6th century and their penetrations across the Danube into the territory of the Byzantine Empire as the setting for a romantic love story. He wrought the historical framework for his novel from the famous and invaluable account of the Slavs by the Byzantine writer Procopius, at the time available to the Slovene readers in the first book of “*Gradivo za zgodovino Slovencev v srednjem veku*” (Materials for the History of the Slovenes in the Middle Ages) by Franc Kos (Ljubljana 1902). Tuma chiefly based his thesis on the spread of the name “Veneti” and his self-styled explanations of the names of rivers, places, and mountains which he collected as a passionate mountaineer. Tuma’s experiences of nature and the mountains inspired the basic idea that stands at the heart of his work and which he formulated in a somewhat naïve sentence: “Look for the sources of human history far from the archives in man’s primeval, simple life in touch with nature.”<sup>26</sup> Anyway, Tuma’s writings later became one of the foundations of Jožko Šavli’s Venetic theory.

Tuma’s writings on Slovene indigeneity were followed by a long break that started in the late 1920s and was interrupted only by Janko Grampovčan’s book “*Meje Slovanov v zahodni Evropi pred tisoč leti*” (The Borders of the Slavs in Western Europe a Millennium Ago), published in Trieste in 1958, an attempt to prove the great spread of Slovene in the past, explaining it with the ancient presence of the Slovenes in the Central European area where Veneti are mentioned. In 1967 Franc Jeza, a political emigré and energetic opponent of the Yugoslav regime, published a book on the Scandinavian origin of the Slovenes, followed

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<sup>25</sup> He published several discourses on this theme, the principal two are: Tuma 1923, 127 ff.; Tuma 1929.

<sup>26</sup> Quoted after Marušič 1995, 22.

ten years later by a book on the same theme addressing the key issues of early Carantanian/Slovene history; based on the external similarities between some Slovene and Swedish words. With no consideration for, or even knowledge of linguistic principles, he argued that the Slovenes originated from the north. Germanists and Slavicists pointed out how untenable and absurd Jeza's arguments were,<sup>27</sup> but his efforts may appear somehow understandable, if we place them in the context of his ill-fated life: he was a former activist of the Liberation Front in the Second World War and a Christian, a disappointed and implacable opponent of the post-war regime in Yugoslavia, who chose political emigration and started to write in favour of a special, independent state of Slovenia. In his efforts to this purpose he also resorted to history which proved, in his opinion, that the Slovenes differed from the other South Slavic peoples.<sup>28</sup>

The period around 1970 saw the inception of a new theory – on the Slovene nature of the Etruscans and consequently on the Etruscan origin of the Slovenes. It was first presented and defended by the “Laureate of the Revolution” Matej Bor,<sup>29</sup> who later renounced the thesis and turned into an ardent supporter of the Venetic theory. Bor's Etruscan theory was also embraced by Ivan Rebec and Anton Berlot.<sup>30</sup> The former provided the historical framework, while the latter – a former code officer – set out to decipher the Etruscan language. The result was so outrageous that even Bor distanced himself from such views. Berlot among others detected loan-words in Etruscan “Slovene” going back three thousand years, but these are actually words Slovene borrowed from medieval German or even more recent loans.<sup>31</sup>

One year after Rebec and Berlot published their book on the Etruscan Slavs in 1984, the journal *Glas Korotana* printed a first article on the Veneti as ancestors of the Slovenes,<sup>32</sup> followed by several works among which the most important was “*Veneti naši davni predniki*”

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<sup>27</sup> Jeza 1967; Jeza 1977. For criticism, see articles in (newspaper) *Primorski dnevnik* 23. 2., 5. 4., 4. 5. 1969 (Gyllenberg-Orešnik and Piškur) and 25. 10. 1969 (Kuret and Triller), in (magazine) *Zaliv* 5 (1970) 87 ff. (Prosen) and in *Venetovanje* 1990, 116 (Bajec, Rebula).

<sup>28</sup> Cf. Jevnikar 1974–1981, 592; Grafenauer 1988c, 382 ff.; Rebula 1990, 116 ff.

<sup>29</sup> Cf. Grafenauer 1988c, 383.

<sup>30</sup> Berlot, Rebec 1984.

<sup>31</sup> See Grafenauer 1988c, 384 (on Bor distancing himself); Kastelic J., in (newspaper) *Delo* 27. 12. 1984, Snoj M., in (newspaper) *Naši razgledi* 28. 12. 1984.

<sup>32</sup> Šavli 1985.

(The Veneti – Our ancient ancestors).<sup>33</sup> Matej Bor provided the linguistic basis for the theory, Jožko Šavli the historical, archaeological, toponymic, and ethnographic arguments, while Ivan Tomažič, who supported the project's organisation and financed it, wrote a survey of diverging opinions and commented on them. The thesis of these modern-day “Venetologists” is that the bearers of the archaeological Lusatian culture (thus called after the province to the east of the middle course of the Elbe River, although the archaeological culture named after that province is attested over a much larger area) from the second half of the second millennium BC were Veneti-Slavs. By the first millennium BC they had spread across most of Europe and conquered nearly two thirds of the continent (almost its entire, today most developed, western part) and this was attested by the spread of the Veneti name (outside Europe it is mentioned in Asia Minor, in Paphlagonia), and by the archaeological culture of urn fields, whose bearers were equally Veneti or (ancient) Slavs – the Western Slavs. In the Eastern Alps, these Veneti-Slavs as a peasant mountain people survived both the Celtic and later Roman occupations only to rise finally, destroying and burning down the hated Roman towns, throwing off the yoke of Roman rule, culture, and Christian religion, and establishing a state of their own in Carantania, where they preserved their independence until the arrival of the Franks, successfully fighting off the pressures from their Avar and Bavarian neighbours. This most recent theory, which tried to move back the settlement of the Slavic ancestors of the Slovenes in their present homeland to prehistoric periods, naturally came under fire and its critics listed linguistic, historical, archaeological, palaeographic and, last but not least and perhaps most importantly, methodological reasons, demonstrating the theory's untenability; we will expand on their arguments below.<sup>34</sup>

### *The Causes for the Origin of Indigenist Theories and their Critics*

The above overview of the theories of indigeneity among the Slovenes shows that they have a quite considerable tradition, and that there were

<sup>33</sup> Šavli, Bor 1988; Bor, Šavli, Tomažič 1989. See also Tomažič 1990; Tomažič 1986, 55 ff.; Bor 1986, 53 ff.

<sup>34</sup> See Grafenauer 1988c, 321–422; Venetovanje 1990. This special, thematic volume contains collected and reprinted criticisms of the Venetic theory, published in different publications, mainly daily newspapers.

more such theories than we usually think. It is hard to say anything general about what makes them so attractive. For at least some of them it is obvious that there are goals behind them, which by themselves are quite legitimate, but have nothing in common with science, as they obviously see history as a means with a certain functional value. With Davorin Trstenjak, who was active at the time of the national formation of the Slovenes, their cultural and political emancipation in the 19th century, it is quite evident that his theory of indigeneity first developed from opposition against German national historians like Anton Muchar in Graz. As Slodnjak put it, he used the theory “to help the educated descendants of East Styrian winegrowers and peasants to bear up against the anti-Slovene campaign of their professors and nationalist publicists, and under the Bach regime he used this fantastic theory to strengthen the meek national consciousness of the conservative Slovene intelligentsia.”<sup>35</sup> Presumably, what was behind Tuma’s ideas of indigeneity was mainly his opposition to German science which was ill-disposed towards the Slavs.<sup>36</sup> Franc Jeza’s theory on the Scandinavian origin of the Slovenes grew from the efforts of this “implacable Slovene”<sup>37</sup> to have Slovenia separate from Yugoslavia and its communist regime and from his arguments in favour of its independence, when he used his theory to substantiate the differences and special nature of the Slovenes that differentiated them from the other Yugoslav peoples.<sup>38</sup> The authors of the Venetic theory nurture similar utilitarian ideas about history. What they strive for is to strengthen Slovene national consciousness and they try to achieve this goal by arguing about the age and importance of the Slovenes in history, saying that they always went their own, special way.<sup>39</sup> The claim of one of the

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<sup>35</sup> Slodnjak 1980–1991, 197.

<sup>36</sup> Kermauner 1980–1991, 234.

<sup>37</sup> Rebula 1990, 117.

<sup>38</sup> See note 28.

<sup>39</sup> See e.g. Tomažič I., in (newspaper) *Delo* 11. 5. 1996 (PP 29): “Slovene hood must be urgently protected with all possible measures /.../ (another) important measure is to strengthen Slovene self-confidence by spreading knowledge on the true Slovene identity. As long as the erroneous theory on the arrival of the Slovenes from the Transcarpathian bogs in the 6th century is forced upon the young, the Slovenes will subconsciously be ashamed of their origin and will prefer to forget about their ethnicity, as demonstrated by the sad experiences in Carinthia and the Trieste area. Only when the Slovenes will be aware of the importance of their language to the origin of the first European culture and when they will learn that they are the descendants of the venerable Palaeoveneti, whose language is reflected in Slovene, can we expect that they



authors of the Venetic theory that the Slovenes have “no historical or ethnic links with the South Slavs,”<sup>40</sup> a notorious absurdity, sufficiently illustrates the fact that history to them is but a means to achieve other goals. And although they keep on accusing Slovene historiography of being “official” and therefore unscientific, their constant references to the “practical importance” of their writings to the Slovene cause – most recently at the time of the political conflict between Slovenia and Italy, as Italy blocked Slovenia from signing in 1996 the EU Association Agreement<sup>41</sup> – amounts to little more than a demand for “official” science *ad usum Delphini*.

At a closer look, the authors of these theories of indigeneity and their like among the Slovenes are all dilettantes – the judgement stands for at least the period from the 19th century onwards, when universities in the modern sense of the word were established, where science was developed and taught, thus providing the conditions for adequate professional training for research work – non-professionals, usually self-taught people without any knowledge of the techniques, methods, and rules individual disciplines use to arrive at new findings, as well as to verify them. Davorin Trstenjak was a theologian by education, Davorin Žunkovič an infantry officer, Ivan Topolovšek did not complete his studies of comparative linguistics, Henrik Tuma was a lawyer, Franc Jeza studied law for some time but graduated in ethnology, Anton Berlot was an officer, Ivan Rebec graduated from a teacher’s college, Matej Bor was a Slavist, Jožko Šavli is an economist, and Ivan Tomažič a priest.<sup>42</sup>

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will survive, sing in their own language, and cheer as they are wont to do, not only in the third, but in the fourth millennium as well, and for many millennia to come.”

<sup>40</sup> Tomažič in Glas Korotana 10 (1985) 9.

<sup>41</sup> Tomažič I., in (newspaper) Delo 10. 2. 1996 (PP 29): “Is it not precisely because of this great historical fraud [referring to the “arrival of the Slovenes at the end of the 6th century,” note P. Š.] that the Italians consider us inferior, uncouth immigrants, even though in cultural terms we do not lag behind a single centimetre? And is it not because of this fraud that they are always moaning “what do they want here, these *Sciavi*?” only to salute one another with a friendly ‘ciao’ (= Schiavo = Slavo)? If the arrival of the Slovenes really was a historical truth, we would have to reconcile ourselves with it and do our best to convince our neighbours that we are their equals in other ways. I cannot understand in any way how mister Parovel and others manage so easily to reconcile themselves with the totally fictional description of the arrival of the Slovenes, when there are proven facts offering us inconceivable opportunities to assert our ‘ius primi possidentis’ and draw the attention and respect that befits the bearers of the first culture in Central Europe.”

<sup>42</sup> See the biographical entries in SBL and PSBL.

It is quite evident on the other hand that criticism of these theories of indigeneity has usually come from scientific disciplines and people with a proven body of scientific research. When we look into the relationship between these writers and their critics, a particularly important and telling fact, crucial to judging the value of the Venetic theory, is that this newest theory, which continues to swamp the “Letters to the Editor” section of Slovenia’s daily newspapers, has been explicitly rejected by writers directly cited by the authors of the theory in their argumentations. These authors include France Bezlaj (d. 1993), the leading Slovene linguist of our time, and the Italian researchers of the Venetic culture and language Giovanni Battista Pellegrini and Aldo Luigi Prosdocimi. Bezlaj briefly wrote about the Venetic theory: “I cannot agree with Matej Bor’s and Jožko Šavli’s arguments about the Veneti and Venetic language, even though they often quote me and claim my support. If their opinions were to mature far enough to be accepted by any scholarly domestic or foreign professional journal, I would be willing to engage in a serious polemic with them. But as long as they keep evading such a procedure, the only normal one in science, I feel no need to waste my precious time or any energy on crude diletantism.”<sup>43</sup> Related to the references to his work in the book by Bor, Šavli, and Tomažič, Aldo Luigi Prosdocimi wrote: “My thoughts about the origin of the Veneti and their assumed connections with the Slavs have been completely distorted. From a moral and scientific standpoint, I am exasperated at the fact that a single sentence was torn out its wider context; in this context my thought is perfectly clear /.../ to conclude, I totally reject such diletante behaviour which is nothing but a waste of time and deserves no answer; I write this brief reaction only because I have been dragged into this matter erroneously and fraudulently.”<sup>44</sup>

There are several reasons for not engaging in a detailed survey of the criticism of the theories of indigeneity in this article: first of all, the criticism has quite a long history and reaches back at least to the second half of the 19th century; furthermore, it is highly branched and addresses eminently specialised linguistic, historical, archaeological, palaeographical and methodological issues; finally, its vast extent makes it impossible to be summarised in the scope of a standard discourse. Being a historian, I will therefore dedicate somewhat more attention

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<sup>43</sup> Venetovanje 1990, 110.

<sup>44</sup> Venetovanje 1990, 88, 89.

to the historical issues relating to the theories of indigeneity, but I would like to start by pointing out some basic methodological errors attributed to the “indigenists” by critics of the linguistic and archaeological issues involved.

It is quite typical of all theories of indigeneity, or their parts claiming linguistic evidence, that their starting-point is the method of comparing words by their external similarity, a method long since transcended in comparative linguistics. Trstenjak already used this method and Šavli still adheres to it, claiming that a range of names in the Alps are actually Slovene (e.g. Locarno and Lugano from the Slovene word “*log*” (meadow), Bodensee from the word “*voda*” (water), Bregenz from the word “*breg*” (bank), etc.), and so supposedly are many toponyms from Antiquity (Tergeste from “*terg* (*trg*)” (market), river Timavo from “*tema*” (darkness), Longaticus from “*log*” (meadow), etc.).<sup>45</sup> Unlike this coffee-klatzsch “sound etymology,” linguists have long since established that the external similarity of words is a far cry from being evidence of their genetic relations, and that homonyms are not necessarily synonyms.<sup>46</sup> Another undisputed finding of linguistics, and one we may consider a matter of general education, is that language is a living organism. Slovene is of course no exception. How greatly Slovene changed over the past one thousand years is obvious if we simply compare present-day Slovene to the language of the Freising Manuscripts, which are largely unintelligible to modern-day Slovenes.<sup>47</sup> Not that this prevents contemporary Slovene “Venetologists” (Bor) or “Etruscologists” (Berlot) from reading inscriptions dating from the first millennium BC, more than two thousand year old, as if the ancient Veneti or Etruscans used nearly the same language as the present-day standard Slovene of the modern age.<sup>48</sup>

“That ‘Slovene’ was quite different from what it is today is something he ignores; his ‘Pleistocene’ Slovene is completely the same as the present-day language /.../ This book is nothing but a mess heaped up by Mr. Ž. with everything and anything he deemed at least remotely useful. He has gathered words from all possible languages which sound

<sup>45</sup> Bor, Šavli, Tomažič 1989, 21 ff.; Šavli 1990, 46 ff. Similarly, Tomažič, in (newspaper) *Delo* 16. 3. 1996 (PP 29).

<sup>46</sup> Cf. Šivic-Dular 1990, 92; Venetovanje 1990, 39 ff.; Priestly 1997, 3–41; Priestly 2001, 275–303.

<sup>47</sup> *Monumenta Frisingensia*.

<sup>48</sup> Cf. Venetovanje 1990, 40 ff.; Weithmann 1990, 53.

at least dimly similar to dress his concoction in some sort of scientific garb,"<sup>49</sup> wrote Joža Glonar in the early 20th century in his review of Žunkovič's book, which set out to prove that Slovene existed already in the Ice Age (Pleistocene), and his criticism has lost none of its cutting edge and may well be applied to our modern-day indigenists.

Turning to archaeology, in particular the Venetic theory lays claims to archaeological evidence in the sections where it attempts to prove that the Lusatian culture was Venetic and that the bearers of the Urnfield culture were Veneti as well. They base these claims on the assumption that (every) archaeological culture corresponds with a certain ethnic community or people. These views were established at the turn of the 20th century by the German archaeologist and Germanist Gustav Kossina, whose basic methodological premise was that strictly delimited archaeological cultural landscapes correspond to completely defined peoples at all times. But this understanding of the relationship between material culture and ethnical identity has long since been discarded.<sup>50</sup> History provides examples where the population of a certain area was replaced, but not its material culture or, vice versa, the material culture changed, but not the ethnical identity of the local inhabitants. Material remains all by themselves do not provide enough evidence to determine the ethnic affiliation of their bearers. This is a question which only data from written historical sources can solve; to define ethnically the Lusatian and Urnfield cultures seems an impossible undertaking and they both therefore remain anonymous in this respect.<sup>51</sup> The idea of the Slovene "Venetologists" that associates the Urnfield culture, characterised by cremation burials in flat cemeteries and extending from the Lower Danube basin to the Atlantic Ocean, with a single ethnic group dominating nearly all of Western and Central Europe, is patently absurd. Due to this flawed methodological premise, all further argumentation by the authors of the Venetic theory is equally invalid, among others where it claims that the Veneti-Slavs spread from present-day Poland across all of Europe around the turn of the first millennium BC and survived as Slovenes to the present day.

If we now look at the issues historiography addresses in connection with the theories of indigeneity, the most important ones are certainly those associated with the issue of continuity or discontinuity between

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<sup>49</sup> Glonar 1907, 183, 185.

<sup>50</sup> See recently Brather 2004.

<sup>51</sup> See Grafenauer 1988, 346 ff.; Pleterski 1990, 5 ff.

Antiquity and the Early Middle Ages. If indeed we were to reconcile ourselves with the theories that the Slovenes lived in the present-day Slovene territory as early as prehistory, we should expect a great degree of continuity in historical development between these two periods. Slovene historiography – as well as other disciplines – has dedicated considerable attention to this issue from the early 20th century onwards.<sup>52</sup> These efforts have revealed that the old notion of a clear break between Antiquity and the Early Middle Ages was all too simplified and black-and-white, at least in the sense contended by the European humanists and which in older Slovene historiography found expression in the representation that the Slavs in the course of their settlement in the late 6th century wiped out the original population.<sup>53</sup> The picture is actually much more differentiated. Research revealed continuity between the ancient and early medieval settlement areas: land cultivated for a livelihood remained unchanged. However, if we compare the structure of this area in both periods, a clear difference is evident between Antiquity and the Early Middle Ages. The ratio of archaeological sites from the Roman era to those from the Migration Period to the end of the Late Middle Ages is approximately ten to one. And this difference in numbers is enhanced by the difference in quality: the material culture of the ancient sites greatly differs from the early medieval ones, and this of course repudiates the possibility of the ancient population surviving the end of Antiquity as an essential, decisive element of the later population.<sup>54</sup>

The most visible change was the deterioration of the ancient urban centres, which no longer existed in such form in the Early Middle Ages. The landscape previously dominated by towns as centres of life in general turned into a total countryside – with the exception of the coast where the towns and their Roman(ized) inhabitants survived into the Middle Ages, while towns started to re-emerge in the interior only in the 12th century. The differences between the towns in the interior and on the coast are revealed in many aspects, from the size of the hinterland to the social composition and self-management of the towns, and they were largely due to the fact that the coastal towns had continuity

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<sup>52</sup> For a survey of the history of these researches with a bibliography until 1967, see Grafenauer 1969a, 55 ff. On the methodological issues, see Grafenauer 1988c, 342 ff.

<sup>53</sup> Cf. e.g. Kos F., 1982, 80 ff. and Štih, Simoniti 1995, 26 ff.

<sup>54</sup> For details, see Grafenauer 1988, 354 ff.

with Antiquity, which was not the case for towns in the interior.<sup>55</sup> The break further shows in the social structure of the area: *župan* and *kosez* are terms and social groups unknown in the area in Antiquity. The agricultural economy also changed: the Roman division of land into square fields disappeared (though it was preserved west of the Slavic settlement area – in Friuli, Tyrol, and Salzburg), and the system as we know it today is of a quite different and later origin – it started to emerge with the introduction of the hide (*mansus*) system (of farms) and villages in the Frankish period.<sup>56</sup> Further changes involved the spiritual image of the area. Late Antiquity was the time when Christianity spread to the entire Slovene territory, including wide circles of the population even in remote settlements. This development is evidenced by numerous preserved Christian monuments: sacral architecture, inscriptions of a Christian content, liturgical objects, as well as objects from everyday life with Christian symbols and, of course, the well developed ecclesiastical organisation under the metropolitan authority of the patriarch of Aquileia.<sup>57</sup> This ecclesiastical organisation collapsed in the Early Middle Ages and Christianity faded away. As we know, the inhabitants of the area were re-Christianised in the second half of the 8th and during the first half of the 9th centuries.<sup>58</sup>

How untenable the theories of indigeneity really are – and in particular the Venetic theory – is most evident at this point. How to explain the undisputed fact that the people from the Slovene territory were twice Christianised if, according to the indigenists, the same population lived in the area as in late Antiquity? Šavli tries to explain away this critical issue by claiming that in Late Antiquity Christianity in the Eastern Alps was confined to the towns, and that the native (indigenous) population remained pagan (numerous archaeological finds prove his claim to be wrong).<sup>59</sup> After the fall of Roman and Byzantine dominion in the Eastern Alps, these “Norican natives, Veneti or Slovenes, who were neither Celticised nor Romanised, could then easily destroy and burn down the towns – the centres of foreign rule and

<sup>55</sup> Vilfan 1967, 103 ff.; Vilfan 1975, 19 ff.

<sup>56</sup> For details, see Grafenauer 1969a, 69 ff.; Grafenauer 1988c, 357 ff.

<sup>57</sup> Cf. Bratož 1990, 3 ff. (with a bibliography).

<sup>58</sup> Cf. Grafenauer 1991, 29 ff.; Kos M. 1936, 18 ff.; Wolfram 1995, 275 ff.

<sup>59</sup> Cf. Ciglenečki 1987, 9 ff. and especially 169 ff.; Glaser 1996, 7 ff. Both works and their catalogues clearly confirm that Christianity spread to the countryside as well in Late Antiquity.

exploitation.”<sup>60</sup> Unlike this construct (that the countryside was not Christianised), which is completely at odds with the historical facts, and which Šavli failed to prove, the fact that the wider area of the Eastern Alps was Christianised twice can be simply explained by the arrival of the pagan Slavs, who brought with them a new way of living and asserted it in the area. And it was the Slavs who caused the changes to the area’s structure described above, which clearly indicates that discontinuity prevailed over continuity. The “Venetologists” may go on clamouring that there is no historical source reporting on the Slavic settlement in the Eastern Alps (needless to say, they would consider such a source valid only if it mentioned the exact date of their arrival in the new homeland, in the way Paul the Deacon reports on the Lombards),<sup>61</sup> it remains a fact that written sources first started to mention Slavs in connection with the area of the Eastern Alps in the late 6th century. These accounts mention that the Slavs and Bavarians clashed (most likely) at the upper Drava in 593 and 595, reporting a first Slavic penetration into Istria in 599, and Slavic penetrations into Italy in 600. These data refer to a line which the advancing Slavs reached in the west, and they are in accord with the information we have that the present-day area of Eastern Tyrol and Carinthia was called the “land of the Slavs” (*Sclaborum provincia*) in the same period.<sup>62</sup>

Historical, archaeological, philological, and other arguments thus clearly show that the theories of indigeneity are baseless. They are a historical myth that wishes to give national history an image it never had. However, if we want to be truthful, all these notions and claims about the settlement of the *Slovenes* in the Eastern Alps in the late 6th century, are a historical myth in the same vein. The then inhabitants of the Slovene territory certainly did not identify or refer to themselves as Slovenes. And a further historical myth is therefore the claim found in all textbooks of Slovene history that the Slovene settlement area extended north to the Danube and that the Slovenes lost no less

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<sup>60</sup> Bor, Šavli, Tomažič 1989, 142.

<sup>61</sup> Paulus Diaconus, *Historia Langobardorum* II 7. Paul’s description of the migration of the Lombards into Italy was the very reason for justified doubts about the historical nature of his account, because he depicts it as the arrival of the Chosen People in the Promised Land and the parallels with the departure of the Israelites from Egyptian slavery and their arrival in the Promised Land are evident, meaning that Paul’s description may be considered a literary topos. See Krahwinkler 1992, 29 ff. and notes 5, 6.

<sup>62</sup> Cf. Grafenauer 1970–1971, 17 ff.; Bertels 1987, 87 ff.

than two thirds of their ethnic territory due to Germanisation; moreover, no explanation has ever been produced why the Danubian Slavs of the Early Middle Ages should be declared Slovenes.<sup>63</sup> In the area where they live today, the Slovenes gradually formed in a long process of historical development, whose main focus was in the 16th century and later, when Slovene names first appear in the domestic language, and the book-publishing activities of the Protestants constituted a first consciously elaborated and implemented programme which considered the Slovenes a special whole and unit.<sup>64</sup> It is in this sense that the Slovenes are truly indigenous: not as the first inhabitants of the area, but as the fruit of a development that led to their formation in this area, for which different identities are attested throughout history, and the Slovene identity is only one of them.

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<sup>63</sup> Šavli 1990, 175 went even further, claiming that the fortified Slavic hillfort of Gars-Thunau, an archaeological site unearthed at the Kamp River, north of the Danube, was of Carantanian origin.

<sup>64</sup> Bezljaj 1995, 265 ff.; Bezljaj 2003, 65 ff.; Kidrič 1929–1938, 83 ff.



## CHAPTER THREE

### ON THE MODERN (MIS)UNDERSTANDING OF OLD HISTORY IN THE CASE OF THE ENTHRONEMENT OF THE CARINTHIAN DUKES

In late February 2005, the then new Slovene Minister of Education, Milan Zver, suggested in one of his first interviews that one of the “elements of Slovene history which have been unjustly ignored” and which “students taking A-levels should know” was the “importance of the Carantanian oath to the development of western democracies,” to which “even president Clinton referred when he visited our country.”<sup>1</sup> The “Carantanian oath” the minister obviously had in mind was the enthronement of the Carantanian princes or Carinthian dukes, which by way of Jean Bodin’s (1530–1596) writings on the Republic (“*Les six livres de la Republique*,” 1576) entered the “contractual theory” on the origin of the state, serving as an example of the contractual transfer of sovereignty from the people to the monarch. The passage on the enthronement in Bodin’s classical work became topical again in the late 1960s, when the Slovene American Joseph (Josip) Felicijan, who studied history in Ljubljana and emigrated in 1945, discovered that the American president Thomas Jefferson (1743–1826) had among others marked the page (p. 129) in his copy of Bodin’s book (the 1580 edition) which addresses the enthronement of the dukes of Carinthia. Based on this detail, Felicijan came to the conclusion that the Carinthian enthronement should be considered as one of the sources of the American *Declaration of Independence* from 1776, in whose first section Jefferson addressed the equality of people and the inalienability of their basic rights.<sup>2</sup> The spiritual foundations of American (and consequently global) democracy thus included the enthronement of the Carantanian princes/Carinthian dukes, and this was the Slovene contribution to the development of western democracies to which the minister referred in his interview. There is no reason to criticise the

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<sup>1</sup> Zver M., Nimamo ne neumnih otrok ne slabih šol (interview), in (newspaper) Dnevnik 26. 2. 2005, 30.

<sup>2</sup> Felicijan 1967.

minister, whose interview I use here merely as a recent example illustrating the issue that will be discussed below, since he only quoted an idea that prevails among a segment of the public and is also part of the self-image of the Slovenes.

What is (or could be) more meaningful is that the interviewee did not make the above statement as citizen Milan Zver, but as the Minister of Education and Sport of the government of the Republic of Slovenia, and that this government judged that the theme should be included in the history curriculum, because history “shapes the national identity more than anything else.” And since a minister has of course the power and leverage to implement his opinion, we must ask ourselves whether this theme really belongs in the history curricula? Can we really consider the enthronement of the Carantanian princes (or, more accurately, the enthronement of the later dukes of Carinthia, the only version of which we have some detailed knowledge) an important Slovene contribution to global democracy? The question is indeed whether the society of the Carantanians, who are in simplified and generalised terms identified straightforward as Slovenes,<sup>3</sup> was really structured in such a unique democratic way (expressed by the enthronement) that it had a no less than global impact and significance by way of its reception in the modern age? Or is all this rather a misunderstanding of a ceremony and its related literary tradition, an understanding projecting modern terms (or at least modern contents of albeit ancient terms), modern notions, institutions, and values into a distant past, constructing rather than reconstructing this history?<sup>4</sup> The question then is whether there is any merit to the notion quoted by the minister, or is it just “historical gossip”<sup>5</sup> that the Carantanians/Slovenes influenced the American and consequently global democracy?

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<sup>3</sup> It suffices to have a look at the titles or contents of some syntheses of old Slovene history which refer straightforward to the “arrival and settlement of the Slovenes in the Alpine lands” in the Early Middle Ages (Gruden 1912), the “arrival of the Slovenes” and the “state of the Carantanian Slovenes” (Kos M. 1955), or the history of the Slovene nation “from settlement onwards,” “Samo’s state and the state of the Carantanian Slovenes” (Grafenauer 1978a), suggesting no less than that the Slovenes settled the Alpine-Adriatic region as a fully formed identity community. That this amounts to (subconscious) retrograde nationalisation of history and constructing the history of modern nations in periods when they did not yet exist, is addressed in Štih 2005, p. 105–132.

<sup>4</sup> On the general problem or phenomenon of the past received primarily at the mythological level, see Flacke 2001; Graus 2002, 49 ff.

<sup>5</sup> Zorko M., Minister Triuenem. Duševni profili slovenskih preporditeljev, in (newspaper) Delo 19. 3. 2005, 18.

The notion of the democratic nature of the state and social order of Carantania, perceived as the earliest phase of the national history of the Slovenes, is certainly deep-rooted, although it culminated only in the last few decades and in particular in the period following Slovenia's independence. The beginnings of this notion are connected with the nation building of the Slovenes, where a new, national view of history was an essential constituent. Within the Slovene community, the concept of national history was established by Anton Tomaž Linhart in the late 18th century. In the spirit of his time, he based it on the then spreading comparative-philological method of equating peoples with their language. As we know, at least since Ernest Rénan and his idea that a nation is defined by the consensus of its members, it is basically an erroneous premise because nations are subjectively, not objectively (e.g., defined by language) established communities.<sup>6</sup> However, based on this (erroneous) premise and the *Conversio Bagoariorum et Carantanorum*, which refers to the Carantanians as a Slavic people,<sup>7</sup> it was not hard to establish a link to the Slovenes.<sup>8</sup> Another element, no less important in meaning and certainly symbolically significant, because it linked the Slovenes to the Carantanians, was of course the enthronement of the Carinthian dukes/Carantanian princes. We have some detailed knowledge of the ceremony from a handful of descriptions dating from the Late Middle Ages, stating that it was held in the Slovene language.<sup>9</sup> Further identification with the Slovenes was supported, in addition to the language, by the fact that the "enthroner" was a peasant, and in the Slovene historical perception of the 19th century "peasant" was synonymous with "Slovene."<sup>10</sup> The enthronement ceremony of the dukes of Carinthia, which at the symbolical level transferred lordship in the *Land* to the new duke, and which older Carinthian historiographers like John of Viktring, Jacob Unrest, Theoprastus Paracelsus, Michael Gothard Christalnick, and Hieronym Megiser first associated with Carantanian history,<sup>11</sup> thus not only embodied

<sup>6</sup> For details, see Štih 2005.

<sup>7</sup> *Conversio Bagoariorum et Carantanorum*, c. 3: *Sclavi qui dicuntur Quarantani*.

<sup>8</sup> It is today perfectly clear that we cannot equate the Carantanians and Slovenes, because their different names attest to two different identities, and neither can we consider the Carantanians as the (exclusive) ancestors of the Slovenes, but only as one group of ancestors. See Kahl 1996, 419 ff., especially 425 ff.; Kahl 2000a, 978 ff.; Kahl 2002, 401 ff., especially 412; Štih 2001a, 2 ff., especially 16 ff.

<sup>9</sup> See Grafenauer 1952, 78 ff.

<sup>10</sup> Vilfan 1993b, 229 ff.

<sup>11</sup> See Mihelič 2000, 855 ff.

Carantanian statehood in the Early Middle Ages, but was also understood as reflecting the statehood of the Slovenes.

A constituent part of this notion, so important to the self-understanding of the Slovenes, was the belief in the democratic nature of the social order within their own free state of Carantania. Besides, by the enthronement, this belief was at least initially marked by general ideas about the life of the ancient Slavs, strongly influenced by Johann Gottfried Herder (1744–1803) and his famously idyllic description of the Slavic peoples, which became one of the most frequently published texts in the Slovene language.<sup>12</sup> We come across this belief already in Linhart who wrote that among the Slovenes/Carantanians authority “rested on the joint will of the people” and that the “dukes of the Carantanians were installed in their dignity by a peasant, dressed in peasant outfit, to whom they swore the oath that they would be the people’s servants, protectors of freedom, justice, and the poor.”<sup>13</sup> In the period of the mass gatherings (*tabori*) between 1868 and 1871, when the nation’s history and its integration and identification potential were directly challenged and it was claimed that the good old times, when the Slovenes could freely and democratically discuss everything of importance to them, had returned,<sup>14</sup> the belief in the democratic nature of the Old Slovene social order became part of the historical consciousness of broader layers of the population. A similar impact on the widespread belief in this notion was exerted by Josip Gruden’s “*Zgodovina slovenskega naroda*” (History of the Slovene Nation), published before the First World War with an astronomical print run of 79,000 copies,<sup>15</sup> and in which the author pointed out that among the Slovenes the prince “was but the first among the elders and that he was given authority

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<sup>12</sup> Herder 1966, 433–435. On how Herder’s text on the Slavs was received by the Slovenes, see Sundhaußen 1973, 151 ff.; Vilfan 1996, 45 ff.

<sup>13</sup> Linhart 1791, 226.

<sup>14</sup> See e.g. the invitation to the mass gathering (*tabor*) in Žalec on September 6th, 1868, which starts as follows: “In ancient times our forefathers were a free and independent people. When common things had to be discussed, they gathered in the shade of bushy linden trees, talked and expressed their wishes without fear and achieved them peacefully. But then sad times befell our Slovene people – they fell into slavery and in century after century of misery all but perished. The people lost their self-confidence, patiently carrying its heavy burden and in a state of drowsiness and apathy not even dared to think of improving their dire plight or freeing themselves of the heavy yoke that weighed them down. A thousand years later, we now again have the legal right to gather in the open air and discuss all matters we deem necessary and worthy.” (quoted after Melik 2002, 375).

<sup>15</sup> Moder 1957, 57.

from the hands of the ordinary people, whose representative was a peasant seated on the Prince's Stone."<sup>16</sup>

However, in spite of the deep roots of this notion about the democratic nature of the social order in the earliest history of the Slovenes, it was never before attributed such great significance as in our time, when the social order of the Carantanians (or, directly, the Slovenes) is used in connection with terms like democracy, parliamentarism, and even the republic. Among others the American Slovene Edward Gobetz describes in his book "Slovenian Heritage," published in 1980, the Carantanian society and the enthronement as "one of the most impressive systems of democracy in the world" and as a "magnificent, pure democracy of the people."<sup>17</sup> Ten years later, the archaeologist Paola Korošec wrote that, Carantania functioned as a veritable "democratic republic with a peasant aristocracy," headed by a princely family and an assembly (*veča*) of *družiniki* and *kosezi* as a "kind of parliament."<sup>18</sup> Only four years ago, Alja Brglez described the enthronement "conditionally as a form of parliamentary decision making."<sup>19</sup> Lest one forget, there is also the "collectively" signed statement of the Slovene Bibliographical Society, which had Felicijan's book translated. The book's preface claims that the authority in "Slovene Carantania" was elected "plebiscitarily" (sic!), and that "at the time of their highest sovereignty and most democratic authority, the Ancient Slovenes ruled their enormous country between the Adriatic Sea and the Danube independently and humanely."<sup>20</sup>

Affirmation of a particular kind was given to this understanding of Slovene history on the occasion of the visit of the American president Bill Clinton to Slovenia in June 1999, when the websites of the Government Communication Office claimed no less than that "the story of American democracy started in Carantania, the first Slovene state from the 7th century."<sup>21</sup> In his toast at the formal dinner, the Slovene president Milan Kučan said that "when writing the American

<sup>16</sup> Gruden 1912, 58.

<sup>17</sup> Gobetz 1980, 8 ff. On May 15th, 1976, on the occasion of the bicentenary celebrations of Independence Day, American Slovenes from Cleveland (Ohio) unveiled a memorial plaque with an inscription on the contribution of a small nation from below Triglav to the Declaration of Independence.

<sup>18</sup> Korošec 1990, 22.

<sup>19</sup> Brglez 2005, 50 ff.

<sup>20</sup> K pričujočemu velikemu delu prof. dr. Josipa Felicijana, in: Felicijan 1995, 10 ff.

<sup>21</sup> See [http://www.uvi.si/clinton/slo/c1\\_gl\\_j.html](http://www.uvi.si/clinton/slo/c1_gl_j.html) (visit of February 2007).

Declaration of Independence president Thomas Jefferson drew heavily on the famous ceremony of our Slovene ancestors, which they performed a thousand years ago to democratically install their Carantanian princes at Zollfeld,<sup>22</sup> and president Clinton in his own toast mentioned the enthronement as a model of people's democracy to Jefferson and the friendship between the United States and Slovenia.<sup>23</sup>

The above-mentioned Josip Felicijan must undoubtedly be credited for such perceptions of the enthronement and the related Carantanian social order. In a special monograph from 1967 he linked the enthronement of the dukes of Carinthia via Bodin and Jefferson to the origin of the American Declaration of Independence, thus elevating the presumed "Old Slovene democracy" to the status of being at the roots of modern democracy. But what exactly can we deduce from Felicijan's discovery that Thomas Jefferson in his copy of Bodin's work *On the Republic* marked the page, on which the enthronement of the dukes of Carinthia (in the form used in the last phase in the 14th century) is described after Piccolomini's model? It is certainly not unimportant to note that Jefferson also marked other pages in the book, and that this to us most important page deals not only with the Carinthian enthronement, but also with royal authority among the Tartars and the Aragonese. Indeed, if we claim that Jefferson's mark means that the enthronement was one of the sources of the Declaration of Independence, we should also claim that Jefferson when conceiving the declaration was inspired by the system among the nomadic Tartars and the Aragonese in northern Iberia! This is of course an absurd claim, and the only thing we can say with certainty based on Felicijan's discovery then is that Jefferson was obviously familiar with the enthronement, but that is a far cry from claiming that it influenced his composition of the declaration.<sup>24</sup> And if we further look into the declaration's ideological premises – that all people are equal, that they have certain inalienable rights like their life, freedom, and the right to happiness, that it is the government's duty to protect these rights, etc.<sup>25</sup> – it seems clear that the enthronement of the Carinthian dukes cannot

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<sup>22</sup> See [http://www.uvi.si/clinton/slo/c1001\\_3kuc.html](http://www.uvi.si/clinton/slo/c1001_3kuc.html) (visit of February 2007).

<sup>23</sup> See [http://www.uvi.si/clinton/slo/c1001\\_3cli.html](http://www.uvi.si/clinton/slo/c1001_3cli.html) (visit of February 2007).

<sup>24</sup> In this sense already Grafenauer 1970a, 112 ff.

<sup>25</sup> The text of the Declaration of Independence, in Jefferson's draft and in the version adopted by Congress is available on several websites, e.g. <http://www.ushistory.org/declaration/document/index.htm>.

have been among its sources, because such ideas cannot possibly stem from any medieval social concepts or practices. The political ideas Jefferson followed in writing the draft of the declaration were entirely modern-age, deriving from the spirit of rationalism and the Enlightenment, and Jefferson was strongly influenced above all by John Locke (1632–1704) and his ideas on universal freedom and equality, where the state, established by a social contract, is responsible for protecting the “natural” condition.

What makes the story about the enthronement and the Declaration of Independence even more questionable is that Bodin, whose work was (is) used to link the two, was incorrectly understood and the whole story therefore wrongly interpreted. The principal category in Bodin’s theory of the state was not democracy, but sovereignty, which he defined as the highest authority over subjects and not subject to any law. Bodin elaborated in his book the principles of absolute monarchy, and his reference to the enthronement of the dukes of Carinthia did not serve as an example of the democratic nature of authority, but illustrated the transfer of sovereignty to the monarch, who according to Bodin’s views had nearly absolute authority (*summa in cives subditosque legibus absoluta potestas*), limited only by God’s laws, the laws of nature, and the obligation he had taken upon himself that he would not become a tyrant, guarantee to his subjects the rights agreed with them, and take care of them. It is further obvious that Jefferson’s principal interest in Bodin’s book was the issue of the tyranny of monarchs, since he marked two other pages in the book (289 and 290) where Bodin discusses this issue, and Jefferson then based the legitimacy of the American Revolution in the declaration on claims that the authority of the English king George III over the American colonies was tyrannical, thus giving the American people the sovereign right to independence and the choice of a new authority. If there is any merit to the idea that Bodin’s work influenced Jefferson and the American Declaration of Independence, then it must have been related to the issue of monarchic tyranny, and Felicijan demonstrated this by directly comparing the passage from Bodin’s work with the corresponding passages in the declaration.<sup>26</sup>

Felicijan’s discovery that Jefferson marked the page with the description of the Carinthian enthronement in his copy of Bodin’s work is

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<sup>26</sup> Felicijan 1967, 45 ff.

certainly important, as it illustrates how far around the world the enthronement was known, but there is no way we can claim this as evidence that it influenced the composition of the Declaration of Independence, and even less that the roots of American democracy can be traced back to the first Slovene state of Carantania, as was written on the mentioned websites of the Government Communication Office, or that the enthronement was instrumental to the development of western democracies, as the then Minister of Education said. Such and similar statements have a pleasant ring, but that is a long way from being true.

Showing, as we did above, that there is no real reason to rate the enthronement as one of the sources of the American Declaration of Independence, has not yet told us anything about the nature of the social order among the Carantanians. Was its order really such that we can credit it as democratic and parliamentary? A first doubt arises as soon as we leaf through the most comprehensive lexicon of the history of the Middle Ages (*Lexikon des Mittelalters*), because it has no entry on “democracy.” The reason is, of course, not that the editors forgot to include it in the subject index, but that democracy was a non-existent category in the then political systems. There was no parliamentarism in the current sense of the term in the Middle Ages because the people were not – as they are today – the bearer of sovereignty and did not have legislative power (through their representatives). In the Middle Ages authority (dominion) was established through lordship, not democratically. It was determined by the lordship over people and things, and the bearer of this lordship was almost exclusively the nobility, whose privileged social position derived from inborn rights, acquired simply by being born into a certain family, and this was of course evidently undemocratic. Similarly, the argument that elections existed in the Middle Ages is no licence to speak of the democratic nature of a system or democracy as we understand it today. It will suffice to illustrate this by mentioning that in the medieval (German) Empire the election of a king was always a constitutive element of assuming the throne. But regardless of this election, account was always taken of the candidate’s affiliation to certain families and as such to the hereditary nature of the position: as long as the ruling dynasty existed, the position remained in its hands. Even when dynasties changed, family ties had great weight and only the high nobility enjoyed royal honours. Furthermore, the circle of electors continuously shrank and beginning with the Golden Bull of Charles IV (1356), the election of the emperor,



for instance, was determined by a special act which provided that he was to be elected by an exclusive, closed committee of just seven princes, known as electors. The article in the “Saxon Mirror” (*Sachsenspiegel*) mentioning that every free man could become king was therefore little more than wishful thinking. Similarly, the Bavarian law (*Lex Baiwariorum*) provided that the duke was elected (*elegit*) by the people, but this was limited by the provisions that he could also be installed (*ordinavit*) by the king of the Franks, and that he had to be a member of the Agilulfing dynasty.<sup>27</sup> In practice, the people’s franchise was of course a dead letter.

But how were things in contemporary Carantania, compared to Bavaria? The Carantanians as a special ethnic and political (tribal/state) community first appeared on the scene of history shortly before the mid 8th century, when Borut was their prince and when because of Avar threats they had to subject themselves to Bavarian-Frankish overlordship.<sup>28</sup> The existence of a tribal prince, whom Frankish sources usually refer to as *dux gentis*, whose position did not differ in function from that of a king (*rex gentis*), and who had at his disposal a military force (*družina*; *Gefolgschaft*) separate from the tribal army, which he (specifically Hotimir) deployed to quell two uprisings, shows that the lordship system existed among the Carantanians. It is further confirmed by the fact that after Borut’s death princely authority first passed to his son Cacatius and later to his nephew Hotimir, and this is clear evidence of the hereditary nature of princely lordship within a single family among the Carantanians. We do not know what kind of ceremony legitimising princely lordship was conducted at the time to install a prince, predestined by hereditary law, in his princely dignity. There are good reasons (given that there is no better alternative to the opinion that the beginnings of the enthronement ceremony are associated with Slavic Carantania before the mid 8th century) to assume that the ceremony involved enthronement, but we have no knowledge of the contents or course of the ritual in Carantanian times. The *Conversio Bagoariorum et Carantanorum*, reports that the Slavs (i.e. the Carantanians) made Cacatius prince (*illi eum ducem fecerunt*) after Borut’s death, and that after Cacatius’s death the same peoples (sic!: *ipsi populi*)<sup>29</sup> transferred lordship to Hotimir (*ducatum illi dederunt*). This

<sup>27</sup> See Grafenauer 1952, 226.

<sup>28</sup> *Conversio Bagoariorum et Carantanorum*, c. 4.

<sup>29</sup> On the issues of this diction, see most recently Kahl 2002, 163 ff.

seems to indicate that in the installation of a new prince a wider community (of unknown extent) finally legitimised his lordship, but we do not know in what way and, as mentioned above, we can only assume that the form of this legitimisation was an enthronement ceremony.<sup>30</sup> Furthermore, the role of this (internally) legitimising community in the installation of a new prince was essentially limited in two ways: first because princely lordship was hereditary within a single family, and secondly by the consent of the king of the Franks who had his say in the installation of the new prince of the Carantanians.<sup>31</sup> In short, neither the *Conversio Bagoariorum et Carantanorum* nor other early medieval sources furnish any support to the opinion that the Carantanians held elections to choose their prince, and even less to the claim that that prince “was initially elected by the entire people in a people’s gathering or *veča* (assembly).”<sup>32</sup> The general conditions reigning in the Early Middle Ages and the known actual circumstances in Carantania speak in favour of the opinion that we cannot possibly talk of a democratic, let alone parliamentary or republican system among the Carantanians of the mid 8th century.

The picture that the *Conversio Bagoariorum et Carantanorum* draws of the installation ceremony of a Carantanian prince provides no indications that the new prince was elected, but rather that the position was hereditary and subject to the approval of the king of the Franks and the legitimising role of the broader Carantanian community. This picture however differs essentially from the description of the election not of the Carantanian princes, but the later Carinthian dukes, in two interpolations in the Swabian Mirror (*Schwabenspiegel*). The interpolations were inserted in the 14th and 15th century, but their model, or at least partial model, most likely goes back to the 11th century.<sup>33</sup> The model of both interpolations, which Bogo Grafenauer reconstructed based on textual criticism of the contents or at least their principal features more than fifty years ago, is thought to describe the method of selecting and

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<sup>30</sup> See Wolfram 1995, 278.

<sup>31</sup> On this system, which was common among the other Slavic peoples at the eastern borders of the Frankish empire, see Štih 1995, 28 ff.

<sup>32</sup> See Brglez 2005, 47. This claim, borrowed from Grafenauer, derives from the general sociological model of authentic popular democracy at the level of tribal constitutions, but there is no concrete historical evidence relating it to the Carantanians or Alpine Slavs, and historically it was not even necessary.

<sup>33</sup> Thoroughly discussed in Grafenauer 1952, 74 ff., 161 ff., 207 ff., but see also: Hauptmann 1954, 144 ff.; Kahl 2000, 140.

installing the new duke of Carinthia in the early phase of the ceremony (in the 11th century), when it presumably still contained a great deal of elements from the Carantanian period. According to this source, exclusively *fryen lantsaessen* (Slov. *kosezi*, Germ. *Edlinger*)<sup>34</sup> had the right to choose the new duke of Carinthia. Based on their oath to the *Land* and its nobles, they elected among themselves a judge, whom they considered the best possible and most suitable choice, regardless of his nobility or power, and taking into consideration only honesty and truth. The selected judge then asked all the *kosezi* one by one about the oath they had sworn to the judges (sic! plural), the *Land* and the *kosezi* (sic! to themselves), whether they considered useful and good the person the empire (*rich*) was giving them (as their new duke). And if they did not think him suitable, the empire had to give them another duke. But if they considered the lord the empire gave them suitable to be the new duke and if he was elected by the majority of the *kosezi*, then they all (the poor and the rich) warmly welcomed him and enthroned him on the Prince's Stone, thus granting the new duke all the rights belonging to the duke of Carinthia. And it was only then that he was granted his fiefs by the king or emperor.<sup>35</sup>

According to the above description, Carinthia was essentially an electoral duchy with a limited circle of people – a circle of a highly unusual composition in feudal society – who had the right to vote, and the procedure of electing a new duke is described in detail. Based on the oath they had sworn to the *Land* and its nobles, the persons entitled to vote elected among themselves a judge, chosen exclusively in accordance with the principle of idoneity. This judge then asked the same electors about the idoneity of the candidate the empire had chosen to be their duke, and they had the right to reject him (in this case a new candidate had to be proposed to them) or confirm him, and in doing so they abided by the majority principle (elected by the majority of the persons entitled to vote), followed by the enthronement in accordance with the *Land's* customs (*nach des landes gewonheit*) and the granting of the duchy in fief by the empire of king/emperor.

It has been clear long since that the described procedure is totally out of place in the feudally organised society of the medieval German Empire that had grown from its Carolingian heritage. This anomaly

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<sup>34</sup> *Lantsaessen* = *kosez/Edlinger*: see Grafenauer 1952, 198 ff.; Hauptmann 1954, 148.

<sup>35</sup> Grafenauer 1952, 172 ff.; Hauptmann 1954, 144 ff.

was largely explained by claiming that remnants of the former Carantanian conditions or system had survived in the procedure. However, according to the *Conversio Bagoariorum et Carantanorum*, by far the oldest and therefore primary source, the election of the prince in Carantania occurred in a way that was totally different from the description of the election of the duke of Carinthia in the interpolations in the Swabian Mirror or their models. Moreover, the *Conversio Bagoariorum et Carantanorum* offers no support at all to the opinion that Carantania was an electoral duchy. Hereditary law also played an important role in the installation of a new prince, while according to the interpolations (models) of the Swabian Mirror the new duke, as well as the judge from among the *kosezi*, were elected on the basis of the pure principle of idoneity, in which the hereditary right was totally irrelevant. And, finally, in Carantania the Frankish emperor as the highest authority gave his consent to the installation of the new prince before the Carantanians granted him legitimacy from their side, while the *kosezi* supposedly first elected the sovereign's candidate (i.e. gave him their approval), and only then did he receive the duchy in fief and was legitimised by the empire through this act. It is quite obvious that the procedure described in the two interpolations of the Swabian Mirror cannot be explained as a remnant of the Carantanian system. There is no way that Carantania or later Carinthia, constitutionally fully integrated into the Frankish state and the (German) empire that had grown from it after the time of the introduction of comital rule in 828, could have expanded its rights at the expense of the king – by turning him from an authority who decided into one who merely proposed a candidate, or, moreover, that the electoral body deciding on his candidate would consist of peasants.

Based on these starting-points, Hans-Dietrich Kahl held with reason that the description of the interpolations in the Swabian Mirror (or already its models) contains at least two textual layers. Concerning the layer describing the actual course of the enthronement ceremony, there is to date no real objection to the opinion that it may derive from the Carantanian period, although this cannot be confirmed. The second textual layer presents the actual procedure of electing the duke. Its origin can be properly explained and associated with the period of the Investiture Controversy from the last quarter of the 11th century.<sup>36</sup>

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<sup>36</sup> Kahl 2000, 133 ff.

To sum up, the point in question is that the principle of idoneity in elections was an old principle of canon law which the Roman Curia strove to extend to the elections of the German kings at the expense of Henry IV. The meeting of the opposition princes in Forcheim in 1077, where in the presence of the papal legate, Rudolf of Rheinfelden was elected counter-king in accord with the principle of idoneity, was attended by Duke Berthold of Carinthia (from 1061) from the Swabian Zähringer family. Berthold, who through his person linked Carinthia to the place of origin of the Swabian Mirror, was deposed for this very reason, but he did not disappear from the political scene and continued to be active in the conflicts between the supporters of Pope Gregory VII and of King Henry IV, respectively. These were now also fought in the completely new field of written propaganda and writings of this kind turned into an instrument the opposition princes used to include the principle of idoneity, which at the time applied to secular persons as well, in the arguments against Henry IV. This is a context that corresponds quite well with both interpolations in the Swabian Mirror referring to the procedure of electing a new duke of Carinthia. By emphasising the principle of idoneity in the election of laymen, these passages give the impression of having been taken from a lost propaganda text from the same period that was simply translated from Latin into German.<sup>37</sup>

The interpolations in the Swabian Mirror thus almost certainly do not describe then current practises in Carinthia, but should be taken as a kind of calculated forgery and a mixture of actual and constructed traditions. As far as the issue of the election of the Carantanian princes and later the dukes of Carinthia is concerned, they are therefore almost certainly totally uninformative and as such unusable.<sup>38</sup> The likelihood that they do not provide useful information is definitely much higher than that they would reliably depict the old Carantanian or Carinthian practice. This conclusion then dismisses everything related to the role of the *kosez*-judge and assembly (*veča*) in the election of the princes of Carantania or dukes of Carinthia, and of course also the notion that at

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<sup>37</sup> Kahl 2000, 138.

<sup>38</sup> This opinion does not refer to the description of the actual enthronement ceremony, consisting of the new duke riding around the Prince's Stone three times, dressed in peasant attire, while the people sang *Kyrie eleison* and thanked God for giving them the prince of their choice. There is no reason to assume that this part of the description in the two interpolations is not an accurate account of its actual course.

the time when Carinthia was already incorporated into the union of the Empire as a duchy, the election and enthronement of the new prince would have preceded and legally prevailed over the king's granting of the duchy.

Our image of the election of the new prince among the Carantanians must therefore derive exclusively from the *Conversio Bagoariorum et Carantanorum*. And what it tells us – though in very basic terms – indicates that the election was essentially very similar to the procedure used by the Bavarians and also known elsewhere.<sup>39</sup> In this respect, the presumed enthronement ceremony of the Carantanians could not have been anything exceptional. It turned exceptional only later, in a completely different time. The exceptional features of the enthronement of the Carinthian dukes (not the Carantanian princes), first highlighted by Aeneas Silvius Piccolomini around the mid 15th century<sup>40</sup> and later quoted by many authors headed by Bodin and into the present, was not its democratic or parliamentary nature, not the use of Slovene, but its truly archaic character. The ceremony in which a peasant-*kosez* symbolically handed over lordship to the new duke of the duchy, who himself also had to be dressed in peasant attire, was something incompatible with the notions and norms applied to investiture in the autumn of the Middle Ages. It will suffice to recall how, in about the same period when Piccolomini borrowed John of Viktring's description of the ceremony, the counts of Cilli were elevated to princes of the empire (1436), because their elevation certainly was something quite different. The charter on the elevation, sealed with the emperor's great seal was handed over to Ulric of Cilli, together with two banners symbolizing two princely fiefs, by Sigismund of Luxemburg, sitting on the throne, decorated with the emperor's insignia and dressed in the emperor's robes, and the ceremony was held in the town square of Prague in the presence of the princes of the empire.<sup>41</sup> That was the norm, whereas enthronement as it is delivered to us by late medieval descriptions was something so extraordinary and unusual that the retainers of Otto the Merry of Habsburg, enthroned in 1335, considered it a "ridiculous farce."<sup>42</sup>

<sup>39</sup> See Grafenauer 1952, 220 ff.; Graus 1965, 32 ff.

<sup>40</sup> Enee Silvii Piccolominei De Europa XX 64: *Quotiens novus princeps rei publicae gubernationem init, solenitatem nusquam alibi auditam observant.*

<sup>41</sup> Ausgewählte Urkunden, no. 180.

<sup>42</sup> Grafenauer 1952, 105.

The notion of the extraordinary, democratic character of Carantania's social order and the influence which it had, based on the literary tradition, on the foundations of modern democracy, is therefore not supported by any historical source. This is rather what we called above "historical gossip,"<sup>43</sup> belonging to the category of national historical myths, created to understand a constructed and idealised part as it suits the needs of the present, not the imperative of the past, and which therefore project modern notions and terms into a distant past. What is interesting to note is that, in spite of its ancient beginnings, the myth started to assert itself only in recent times, and that it is actually one of the youngest Slovene historical myths. The reason for its contemporary popularity may be that it is affirmative of the young Slovene democracy and state, but it otherwise belongs to the set of notions that is included in the term "Carantanian myth." According to this strongest Slovene national constitutive and nation building myth, the beginnings of the national history of the Slovene trace back to the time of the settlement of the Slavs and the principality of Carantania, which is not only supposed to have been the first state of the Slovenes, but also to have had a democratic system – in other words something the Slovenes regained only more than a millennium later. Part of this mythical perception is the Prince's Stone, which is said to embody ancient Slovene glory (which in reality never existed). Consequently, it became one of the most important symbols of Slovene history, even though it is a monument related exclusively to the transfer of lordship in Carantania and later in Carinthia, and never had any Pan-Slovene connotation. Historically seen, it can only be a symbol of Carinthia's past.<sup>44</sup>

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<sup>43</sup> See note 5.

<sup>44</sup> For details, see Štih P., Knežji kamen in njegovo potovanje skozi čas. Karantanija ni bila prva slovenska država, in (newspaper) *Delo* 24. 11. 2005, 19.

## CHAPTER FOUR

### A PLEA FOR A DIFFERENT VIEW OF ANCIENT SLOVENE HISTORY

The basic notions the Slovenes have about their history associate its beginnings – if we disregard theories of indigenesness – with the settlement of the Slavs or, simply, the Slovenes, and Carantania. These notions started to take form in the period when their formation as a nation started in the late 18th century. This was of course no coincidence, because the formation of a new, national view of history was an essential element of their nation building. Establishing a national history stretching back to the time of King Samo and the Carantanian princes, the Slovenes gained one of their principal identity anchors, as well as a vital means for becoming a legitimate nation and for their emancipation, integration and, last but not least, differentiation from other nations.<sup>1</sup>

Anton Tomaž Linhart, who stands at the very beginning of Slovene national historiography in the late 18th century, outlined the basic framework for understanding Slovenia's past and it remained unchanged for two hundred years, until nearly the end of the 20th century.<sup>2</sup> Conceptually, he drew on the then spreading (and later prevailing, but as we now today realise, erroneous) perception that equated language communities with ethnic communities.<sup>3</sup> The notion that linguistics

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<sup>1</sup> See Štih 2005, 107 ff.

<sup>2</sup> For a comprehensive view on Linhart, see Svetina 2005. For Linhart as a historian, see Štih 2005a, 291 ff.; Kramberger 2007, 139 ff. See also the brief, but accurate judgement of Linhart in Höslér 2006, 98 ff., especially 101.

<sup>3</sup> See e.g. Untermann 1985, 146: "Insbesondere weiß man heute, wie problematisch der Begriff 'Volk' wird, wenn man ihn nicht aus historischen Quellen gewinnt, also nichts über soziale Organisation und politische Aktivität erfährt, sondern ihn durch sprachliche Merkmale oder durch Waffen, Gräber, Häuser und Gebrauchsgegenstände bestimmen soll."; 154: "Sprache ist nicht notwendig Korrelat ethnischer Individualität, weder im positiven Sinne – daß jedem 'Ethnos' eine unverwechselbare Sprache eigen ist – noch negativ – daß zwei verschiedenen Sprachen notwendigerweise als Symptome für zwei voneinander verschiedene Völker angesehen werden dürfen. Ebensowenig ist Sprachveränderung notwendig mit ethnischer Veränderung gleichzusetzen." An individual ethnic community is not necessarily a linguistic and/or cultural community as well, and this means that it is necessary and possible to identify ethnic identity based on other criteria and phenomena. See in this sense already Wenskus 1967, 32.



was the clue revealing the very beginnings of the history of individual modern nations had far-reaching consequences for the reception of European history and its retrograde nationalisation, because the thus created “pseudo-peoples of linguistics”<sup>4</sup> were perceived as real, historical entities.<sup>5</sup> Based on these ideas, Linhart was able to extend the national history of the Slovenes far back into the Early Middle Ages, including Slavic Carantania, due to the linguistic continuity that links modern Slovene to the language of the Alpine Slavs in accordance with the scientific findings of his time. Linhart and his concept thus saw the Slovenes as a clearly differentiated, historical, ethnic, linguistic and cultural community with an undisputed continuity, different from all other communities, already in the Early Middle Ages. It was this concept, placing the elements of language and ethnology in the forefront, which granted the Slovenes their own history in the same period which other European nations considered as their cradle. Neither Linhart, nor any one of his followers seems to have understood that this was simply a retrograde nationalisation of history, projecting the history of the Slovenes backward to a period when the Slovenes did not yet exist as a special ethnic community, and neither as a special language community.<sup>6</sup>

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<sup>4</sup> Mühlmann 1985, 15.

<sup>5</sup> On the philological method, its significance for historical notions and nationalism, see Koppelman 1956, 29 ff.; Geary 2002, 39 ff.; Brather 2004, 89 ff.; Curta 2004, 127 ff.; Wiwjorra 2006, 37 ff. For criticism of such understanding and the necessity to distinguish between early medieval ethnic and language communities, see in general: Wenskus 1961, 87 ff., 133 ff.; Pohl 1998, 22 ff. For the Slovene case, see Štih 2006a, 26 ff., especially 37 ff.

<sup>6</sup> On the huge problems linguists face in their attempts to define and distinguish the language spoken by the Slavs between the Danube and the Adriatic Sea as a special Alpine Slavic or Old Slavic language, where no clear answers have yet been found, see most recently Holzer 2007, 27 ff. (and the quoted bibliography). The surprising uniformity of this Slavic language is not just something established by modern linguistics (see e.g. Popowska-Taborska 2005), but was reported already by contemporary historiographical accounts. In the late 8th century, Paul the Deacon writes that Radoald, the son of the Lombard duke Gisulf from Cividale talked with hostile Slavs, who had sailed to Siponto in Apulia around 642, in their own language (Paulus Diaconus, *Historia Langobardorum* IV 44). Radoald must have learned Slavic either in Cividale or in Pannonia where he was taken into Avar captivity as a boy (and from where he soon escaped with his brothers), but in Siponto he spoke to Slavs who had sailed from Dalmatia. A similar reference to the uniformity of the Slavic language (of the Macedonian and Moravian Slavs) is in *Vita Methodii* c. 5: “And it happened in those days that the Slavic princes Rastislav and Svetopolk sent envoys from Moravia to Emperor Michael /.../ the Emperor then said to the philosopher Constantine: “The two of you are Salonicians, all the Salonicians speak pure Slavic.” In the north, Adam of Bremen points out the uniformity of the Slavic language among the “Western” Slavs in

In line with these conceptual premises and notions, Carantania was perceived as a state of the Slovenes, the Carantanian princes as Slovene princes, and the enthronement ceremony, used to install the princes in their princely authority, was perceived as an expression of Slovene, not Carantanian, statehood. Corresponding to these notions, the area settled by the Slavs in the Eastern Alps and extending to the Danube and across it in the north, was defined as the settlement area of the Slovenes.<sup>7</sup>

A perfect illustration of the manipulative nature of such and similar historical notions, perceived as historical truths, is the map – well known to the Slovene reader – of the Slovene ethnic territory in the 9th and 20th centuries. Apart from the Prince's Stone, this map is the best possible visualisation of the impression the Slovenes have of their history in the Early Middle Ages. On the one hand, the map of the former extensive Slovene ethnic territory stands for one of the brightest chapters of the nation's history; but on the other hand it shows how greatly

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his history of the bishops of Hamburg from the late 11th century (Magistri Adami gesta Hammenburgensis ecclesiae pontificium II/18): "Sclavinia, a very large province of Germania, is settled with Vinuli (Vinedi), who were once called Vandals. It is ten times bigger than our Saxony, especially if we add to Sclavinia Bohemia and the Poles living behind the Oder, who do not differ among themselves in customs or language." Finally, the term *lingua Sclavanisca/Sclavorum* (and similar ones), mentioned in numerous sources from the Baltics to the Adriatic Sea, speaks for a uniform Slavic language (uniform in the eyes of their neighbours, of course). If we keep in mind this picture, we must ask ourselves how to define the language of the Freising Manuscripts. From the viewpoint of modern linguistics and its analyses, and with the benefit of retrospect, it would appear correct to call this language proto-Slovene, Old Slovene, or Early Slovene, since uninterrupted and undisputed continuity exists between the language of the Freising Monuments and modern Slovene. However, all languages have such a continuity, but this does not mean that we can claim the Latin language spoken in the 8th century in Italy to have been Italian. The essential question is therefore how contemporary people understood or defined this language at the time of the origin (9th century?) or recording (the turn of the 11th century) of the Freising Monuments. The above-mentioned examples suggest that they simply considered it Slavic, not a specific Slovene language. The latter perception is not supported by any contemporary source.

<sup>7</sup> See e.g. Grafenauer 1946, 102ff.: "The political freedom of the *Carantanian Slovenes* ended in the mid 8th century. *Slovene Carantania* however continued to exist for 80 years as a special, autonomous entity within the Frankish empire. It was still ruled by *Slovene princes*. [...] The reforms of the third decade of the 9th century brought much greater changes to life in Carantania than the abolition of political freedom. They indeed cut off the organic development of the *Slovene nation*, the *Slovenes* then essentially became a *subjected nation*. This social disaster was of course vitally connected with the loss of political freedom in the mid 8th century. The fall of the free *Slovene Carantanian state* and its consequences meant that the *Slovenes* lost nearly two thirds of the *Slovene national territory*, as well as enduring a millennium of political and social slavery for the *entire Slovene nation* [all italics by P. Š.]"

this territory was later reduced, thus illustrating one of the worst (pseudo-) historical traumas of the Slovenes, captured in syntagms like “denationalisation of Slovene soil,” “deliberate assimilation of the Slovene population,” “Germanisation of large areas of ancient Slovene territory,” “the greatest territorial-national losses,” and the like.<sup>8</sup> This map, which later became ubiquitous in textbooks and surveys of Slovene history,<sup>9</sup> was first published in 1933 in *Zgodovina Slovencev od naselitve do reformacije* (History of the Slovenes from the settlement to the Reformation) by Milko Kos.<sup>10</sup> If the fact that the map draws the borders of the Slovenes in the 9th century on the Danube and in the Salzburg area cannot fail to raise eyebrows, what is really striking is that there is no border between the Slovenes and Croats on the Kolpa and Sotla rivers in the illustration of the 20th-century condition, as all is lumped together and presented uniformly as “present-day Yugoslav ethnic territory.” There is, of course, a simple explanation: the book was published at the time of the “January 6 Dictatorship” of King Alexander I, when Yugoslav unitarianism dictated the existence of a single Yugoslav nation. It is however an undisputable fact that the map suggests conditions that did not exist in the 9th or 20th centuries. It indeed tells us – in a book hailed as the first scientific synthesis of the history of the Slovenes<sup>11</sup> – that there are no Slovenes (left) in the 20th century! At the time when factually there were no Slovenes yet – according to research by France Bezlaj the ethnonym Slovene cannot have emerged before 1000, it is first documented with the Slovene Protestants of the 16th century, and was given its present-day unambiguous semantic meaning and national content only in the 19th century<sup>12</sup> – they supposedly occupied a great homeland between the Adriatic Sea and the Danube; but in the century when the Slovenes finally achieved full national affirmation, the map erased them from history.

It was only after the Second World War that the map obtained a more familiar appearance. Instead of “present-day Yugoslav ethnic territory,” it suddenly refers to “present-day Slovene ethnic territory,”<sup>13</sup> and the border between the Slovenes and Croats is of course marked. The map

<sup>8</sup> Kos M. 1951, 9. ff.; Kos M. 1955, 140 ff.; Grafenauer 1965, 163 ff.

<sup>9</sup> The map (its variant from 1955) is still included in textbooks and was last reprinted to my knowledge in a survey of Slovene history by Habjan 1997, 35.

<sup>10</sup> Kos M. 1933, 35.

<sup>11</sup> Grafenauer 1985, 361.

<sup>12</sup> Bezlaj 2003, 254 ff.

<sup>13</sup> Kos M. 1955, 75.

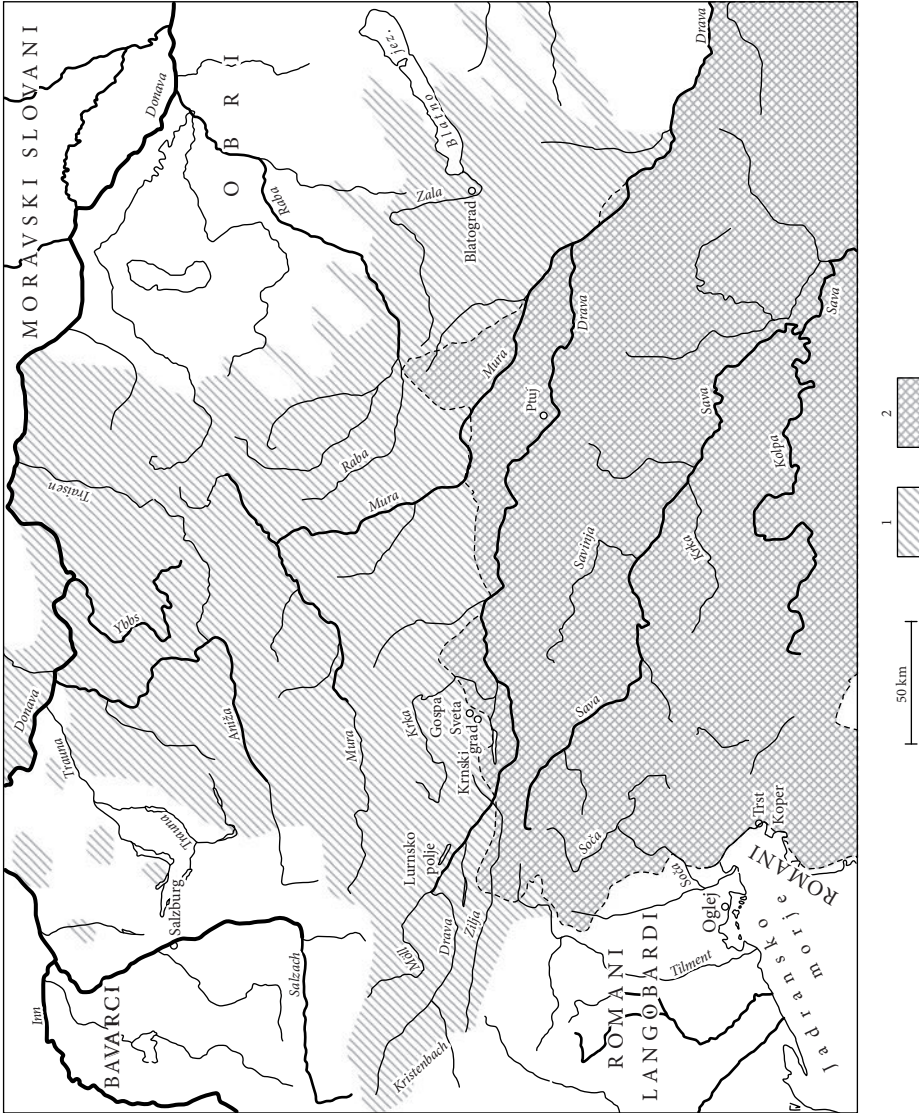


Fig. 2. The northern and western borders of the Slovenes in the 9th century.  
1. The former territory of the Slovenes. 2. The present Yugoslav ethnic territory (after M. Kos 1933, p. 35).

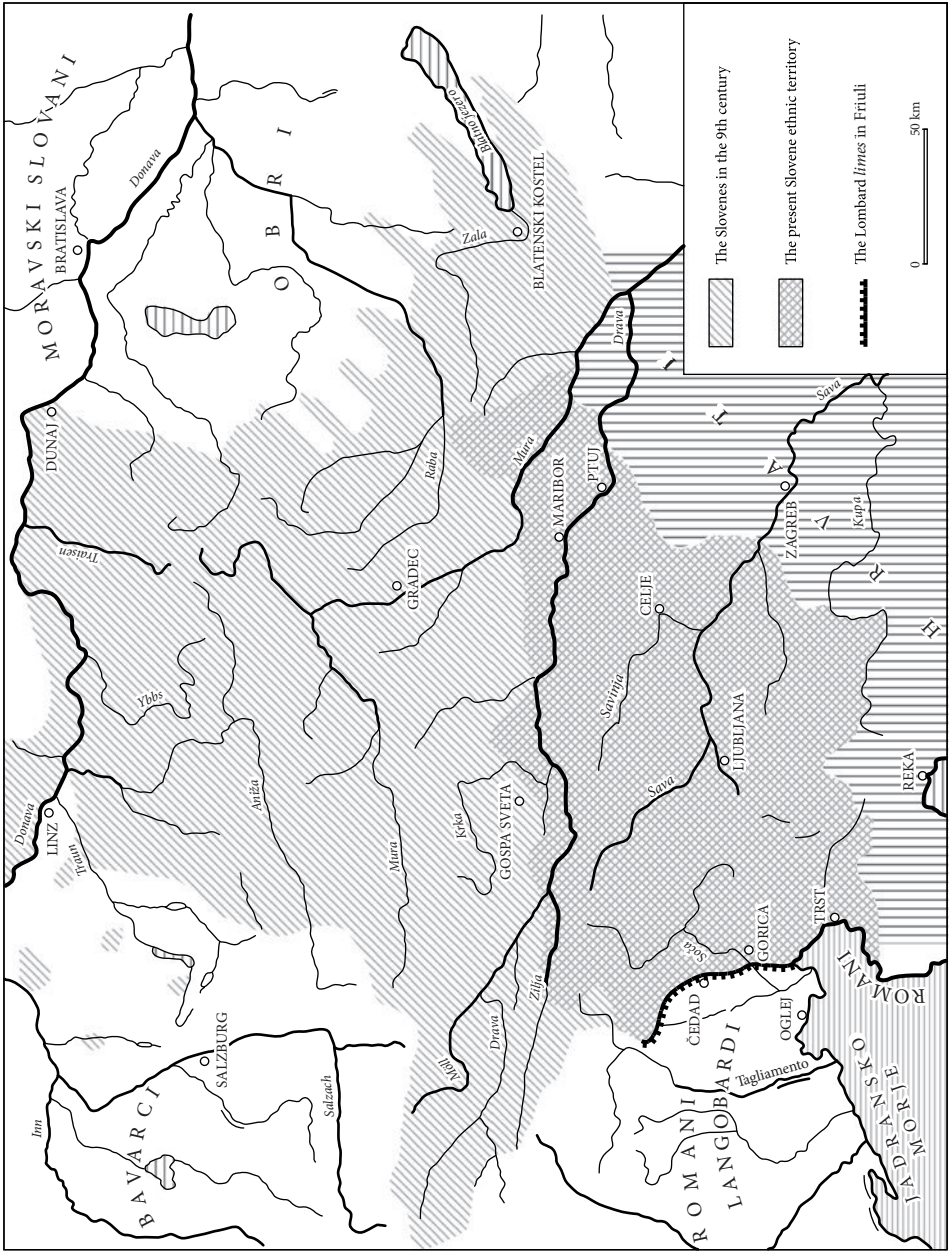


Fig. 3. The Slovenes after the settlement (after M. Kos 1955, p. 75).

however suggests that this ethnic border was already in the 9th century (!) the same as the present-day Slovene-Croatian state border, although in reality the issue of “where Slovene soil starts and Croatian soil ends” had not yet been settled a millennium later.<sup>14</sup> This “corrected” map thus presents something that did not exist in the north and south in the 9th century and – consciously or subconsciously – generates a mythological historical picture that is still absorbed by Slovene pupils. It is therefore hardly surprising that the notion of the Slovenes as a fully formed ethnic (national) community in the Early Middle Ages continues to be part of the Slovene historical *imaginarium* and collective historical memory.

This conception of national history and the historical consciousness based on it, thus understood the historical formation of the Slovenes in the first place genealogically, not sociologically, in the sense that the Slovenes were a community of shared origin; and this origin was placed in the language context. As a result, the Slovenes – and with them the history of the Slovenes as a matter of course – included all the Slavic speaking inhabitants of the region between the Danube and the Adriatic Sea in the Early Middle Ages – the Alpine Slavs as we call them today. Excluded from this community were all the inhabitants of the same region who spoke a different language, even if they all lived together, in the same political, legal, economic, and other conditions.

The meta-narrative of a Slovene national identity in the Early Middle Ages, established on the basis of language, had another important consequence for the self-perception of the Slovenes: since most of the peasant and other unprivileged classes in the Slovene territory consisted of people speaking Slovene, the term nation acquired a socially decidedly limited connotation when related to the Slovenes.<sup>15</sup> In the narrative of such a socially transfixed history very little attention was devoted to the social elites. The nobles and burghers, defined as Germans or Italians by nationality because of their language practises,

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<sup>14</sup> See Zajc 2006.

<sup>15</sup> Hroch 2005, 70 ff., considers that in view of their incomplete social structure, and taking account of Smith's categorial system, the Slovenes of the early 19th century were an “ethnic category,” not yet an “ethnic community;” in other words, they were defined as a group by objective differences in language (dialects) and culture from the neighbouring groups, but were (yet) without a clear awareness of their common affiliation developing from these differences. An ethnic community, on the other hand, demonstrates together with its name, known to most of its members, its awareness of shared origin and affiliation to one and the same community. Such awareness includes a form of collective memory and reveals at least elementary solidarity among its members.

were stigmatised as foreign and anti-Slovene. In line with this the state community, which included most of the Slovene speaking population and in which the nobility as the “political people” had the last word, was defined as the national state of the Germans, and as such foreign and hostile to the Slovenes.<sup>16</sup>

The first criticisms of the history of the Slovenes conceived and understood in these terms, separating on the one hand what belonged together and, on the other hand, including contents which did not belong to it, were voiced in the early 1980s. Later, critical voices multiplied and the most important critic, mentioned here as *pars pro toto*, was Sergij Vilfan.<sup>17</sup>

Today, in the early 21st century, it has become quite clear that modern historiography as well as the prevailing views of history are products and manifestations of nationalism. We expect history to tell us who we are and since when, and where our origin lies; history is therefore a fundamental element of every nation and its national identity. But history is not just a fundamental element of every nation, there can be no nation without a history. The memory and awareness of a common fate in the past legitimises the nation's existence in the present. This need for a history (of its own) is therefore not so much a search for historical reality but in the first place a need to establish and maintain a “we-feeling” and with it national consciousness in the present, as well as a need to experience such a community as permanent and legitimate: history is the means that legitimises a nation. National history is therefore given a quite specific function, meaning that is bound by certain objectives, which in turn means that it was not capable of being impartial or independent, nor can it be so today.<sup>18</sup> The result of all this is that the history of modern European nations is more of a construct than a reconstruction, more fiction than reality.<sup>19</sup> The essential elements of such a history are therefore historical myths: in the form of simplified and stereotype constructs they proffer a historical picture that has

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<sup>16</sup> See Štih 2006a, 42 ff.

<sup>17</sup> See Štih 2007b, 175 ff.

<sup>18</sup> See Hroch 2005, 149 ff., especially 155 ff.

<sup>19</sup> Rénan 1947 already 1882 pointed out that misunderstanding one's own history plays an essential role in the origin of a nation. Weber 1972, 239, defined as a constitutive element of ethnic communities the subjective belief – a mythical notion – in a shared origin, whereas Hobsbawm 1990, 12, wrote that “nationalism requires too much belief in what is patently not so.”

little in common with the realities of life and history, projecting contemporary wishes and notions onto the past.<sup>20</sup>

The task of substantiating the notion of a single, indivisible, and unchangeable nation – endowed with a homogeneous and coherent image of its history, cleansed of all doubts and uncertainties, showing clear continuity and justifying the nation's existence for all times past and future – fell to the humanist sciences of the 19th century: from philosophy and philology to archaeology and ethnography, etc. It was, of course, above all the task of historiography, which was at the time triumphantly successful all across Europe and in the words of Patrick J. Geary was “conceived and developed as an instrument of European nationalism.”<sup>21</sup> The modern methods which historiography developed are still used today to legitimise the scientific nature of historical research, but their objective then was to tailor a suitable image, age, and continuity to the needs of the emerging nations in a scientific, verified way. Constructing national history had, of course, to abide by certain basic postulates of then already fully developed critical science. It was no longer possible to construct historical narratives in defiance of a critically verified body of sources, or to simply invent historical events or persons. But this did not prevent historiography from nationalising past events, the only difference being that nationalisation was no longer practised by way of forgery and fabrication, but through careful selection of historical events and periods and causal interpretation of the relations between them.<sup>22</sup>

Such selectively structured images of national histories started to emerge in the last decades of the 18th and in the 19th century – and the Slovenes were in no way an exception. Historical notions and memory landscapes, wrought in the service of national ideologies, perceive the European nations as clearly differentiated, stable, and objectively determinable social and cultural communities, existing as practically unchangeable categories with an incontestable continuity from at least the Early Middle Ages, and as it were outside historical time and ungoverned by historical criteria. These pseudo-historical images, comprising modern needs, values and contents, but transposed into

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<sup>20</sup> See Etienne, Schulze 2001, 17 ff.; Germer 2001, 33 ff.; Graus 2002, 49 ff.; Vilfan 2001, 49; Wiwjorra 2006, 8 ff.; Štih 2006a, 26 ff.; Vodopivec 2006, 49 ff. On the role of myths in the context of national ideology and national history, see also Smith 1999, 57 ff.; Hein-Kircher, Henning Hahn 2006, 3 ff.

<sup>21</sup> Geary 2002, 25. See also Krzoska, Maner 2005, 7 ff.

<sup>22</sup> See Hroch 2005, 156.



the past, continued to prevail in Europe at the level of historical memory and consciousness, and were adapted as perfectly self-evident and undisputed historical realities in the 20th century, even though they are essentially projections or delusions.<sup>23</sup>

In reality, these supposedly ancient histories (and the demands deriving from them) acquired – as illustrated by Kos’s map – this image only in recent times. The ideology of nationalism, which so strongly marked the 19th and 20th centuries, has always had a dominant influence on our understanding and perception of the present as well as history. The combination of a romantic political philosophy on the one hand, and historiography and comparative linguistics on the other hand, led to the notion that language is an objective criterion for identifying ethnic/national communities. Consequently, a nation was thought to reveal itself as a homogeneous language community, which was at the same time a social, cultural, and political community, already in the oldest sources. What resulted from such notions of history, associating language with ethnicity, then both with the “nation,” and finally with statehood,<sup>24</sup> was, however positive it may have seemed, in reality a negative development: history was squeezed into a corset which transformed it backwards in line with the ideas of national ideologies. The history of Europe’s nations is therefore not so much determined by Ranke’s tenet of “how it really was” as by Eric Hobsbawm’s idea of “the invention of tradition.”<sup>25</sup> The ideas we nurture about our past are therefore not so much a history describing what once was, but rather visions of the past, cultivated in the period of the formation of individual nations by their national elites in connection with their political and national ideas; these visions remained largely unchanged in the following periods and survived into the present.

The weight of the above described findings and the advanced condition of research finally started to unsettle the traditional image the Slovenes had of their national history. The edifice as conceived by Linhart started to collapse, but Slovene historiography, drawing on its premises and fallacies in interpretation, uncritically held on to it even when it had become perfectly clear that nations and languages are not one and the same. The edifice proved to be without real foundations and nothing solid could be built on it any longer. New reflections were

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<sup>23</sup> See Graus 1980, 42.

<sup>24</sup> Vilfan 2001, 37.

<sup>25</sup> Hobsbawm, Ranger 1983.

required on how to take into consideration modern findings and at the same time conceptualize a Slovene history including this period of time, even though there were no Slovenes yet in the Early Middle Ages. This led to the concept of *Slovene history* replacing as a new paradigm the concept of the *history of the Slovenes*. It was first presented in 1995 in the book “*Slovenska zgodovina do razsvetljenstva*” (Slovene History until the Enlightenment).<sup>26</sup> The book’s title already emphasised the new conceptual premise as well as divergence from the classical or traditional historical syntheses of the Slovene past; these syntheses were conceived as national histories and had corresponding titles: “*Zgodovina slovenskega naroda*” (History of the Slovene Nation)<sup>27</sup> or “*Zgodovina Slovencev*” (History of the Slovenes).<sup>28</sup>

“Slovene history” is thus understood as the history of the territory in the sense that it does not focus on the history of one nation (the Slovenes) living there, nor does it attempt to lump together all historical events under the label of a single nation, but rather addresses the history of all peoples and communities involved in the making of history in the Slovene territory. This changed perspective of the Slovene past necessarily addresses one of the central issues of Slovene history, which has not been accorded suitable attention to date – the perception that Slovenes and only Slovenes have lived here since ancient times, and that from the same ancient times onwards they had to fight the Germans and perhaps also the Italians, who are defined equally unambiguously and timelessly. The paramount question then is which identity or identities the people in the Slovene area had in the times before a Slovene identity in the modern sense developed from the late 18th century onwards. This question of identity (identities) has always been addressed in very simplified, monopolistic, as well as exclusivist terms in Slovene history, and this chapter of history will have to be researched anew and rewritten, because it ignores the social conditions and relations, constantly changing and redefined throughout history, as well as modern sociological and anthropological findings and their concepts and categories. We do not know what the final results will be like, but it is certain that they will present a much more differentiated picture than the one we have been familiar with to date. German speaking and Slovene speaking inhabitants of medieval Ljubljana, for instance, had

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<sup>26</sup> Štih, Simoniti 1995.

<sup>27</sup> Gruden 1912; Grafenauer 1978a.

<sup>28</sup> Kos M. 1933; Kos M. 1955; Sluga 1979.

different language identities, but as burghers who participated in the self-management or defence of the town, and who in times of hardship were bonded by feelings of solidarity and the same fate, also had a strong feeling of affiliation to the town, which defined their identity additionally and even in stronger ways. The same is true of German speaking and Slovene speaking peasants whose linguistic identities were equally different, but whose social identities were, if not equal, at least similar. Precisely these social causes, and not by any means linguistic or ethnic/national ones, made the peasants revolt from the late 15th century onwards, and German as well as Slovene speaking peasants engaged shoulder to shoulder in these uprisings, which is something standardly ignored in nationally conceived surveys of history. This new view of ancient Slovene history thus enables us to discover chapters from the context of the “lost history” as Helmut Rumpler recently called the history we lost out of sight because of our nationally tinted glasses.<sup>29</sup>

The concept of Slovene history is thus much wider and less exclusivist – not only in its contents, but also temporally – than the concept of the history of the Slovenes, which includes, strictly speaking, only the history of those individuals who were (or considered themselves to be) Slovenes, or of the community which considered itself Slovene (excluding on the one hand all those who were not or cannot be considered Slovenes, and forcibly Slovenizing, on the other hand, all those who were not Slovenes but were instrumental to the narrative of national history). The concept of Slovene history also corresponds better to the imperative of historical thinking and an approach that derives from history’s permanent changeability. It may thus include the Carantanians (who were not Slovenes, yet were highly important to Slovene history and part of Austrian history as well) or, for instance, the counts of Cilli and the Carniolan polymath Johann Weichard Valvasor, who were not Slovenes yet are essential constituents of Slovene history. The concept does not force us into nationalising our past or constructing history, but enables us to attempt to reconstruct history in all its manifestations. It enables us to better observe and evaluate historical phenomena in accordance with the period of their appearance, and not under the influence of modern (national) ideas. And, last but not least, the concept of Slovene history allows us to better understand that as

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<sup>29</sup> Rumpler 2001, 517.

Slovenes we have a perfectly ordinary, normal history, comparable to the histories of other European nations, and that in order to understand and explain the history of the Slovenes no miracles are required, no divine assistance, and no innate particularities of the kind (ab)used by so many, ideologically highly diverse, “interpreters” to explain the nation’s past and present.

In the early 21st century, and following criticism – which with reason called attention to the weaknesses and even untenability of some basic ideas about Slovene history – we can indeed no longer cling to a historical concept elaborated in the late 18th and 19th centuries that is no longer fit to describe or understand the social dimensions and relations determining medieval and pre-modern society in the territory of present-day Slovenia. The Slovene position today is radically different from that of the 19th century, and in line with this change the understanding and perception Slovenes have of their own history has changed or at least should change. One option for a different view is provided by the concept of Slovene history. It is not necessarily the only option, even less the only valid option. Let it suffice that the concept produces better options for the understanding and description of ancient Slovene history than it is possible with the concept of national history.



PART TWO

FROM THE SLAVIC SETTLEMENT TO THE  
END OF FRANKISH RULE



## CHAPTER FIVE

### WIPED OUT BY THE SLAVIC SETTLEMENT? THE ISSUE OF CONTINUITY BETWEEN ANTIQUITY AND THE EARLY MIDDLE AGES IN THE SLOVENE AREA

Before addressing the theme proper, I consider it necessary first to define the significance for Slovene history of the Slavic settlement in the Eastern Alps and its river basins during the late 6th century. In the historical consciousness of the Slovenes, the Slavic settlement, which some see as no less than the settlement of the Slovenes, is usually perceived as the beginning of Slovene national history, a history that reached its first peak somewhat later in the Slovene state of Carantania. That Slovene historians have greatly contributed to this extremely simplified, historically unfounded, and mythic view of the nation's past is quite evident. All one has to do is look at some overviews of the national history of the Slovenes: they usually start – or suggest so in the titles – with the Slavic or Slovene (!) settlement in the Eastern Alps.<sup>1</sup>

Neither Slovene history nor the history of the Slovenes, however, starts with the Slavic settlement. Slovene history is the history of the Slovene territory and its inhabitants from the first traces of human settlement onwards, and is therefore much older and territorially conceived; the history of the Slovenes is much younger and nationally conceived: it is the history of one nation – that of the Slovenes – which gradually emerged from a long and complex historical development in the territory inhabited today by the Slovenes. Its central period is the time from the 16th century onwards and, similarly to most European nations, the decisive thrust towards the formation of a separate national community of the Slovenes occurred only in the 19th century. The historical significance of the Slavic settlement in the Eastern Alps in the Early Middle Ages lies elsewhere: it gave the Slovene territory the linguistic identity that the area has preserved to the present day. The Slovenes were ranked among the Slavic peoples from the late 18th century onwards, primarily for linguistic reasons, even though they

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<sup>1</sup> See note 7 in the chapter “On nationalised History, Myths and Stereotypes” above.



developed from different roots and have – as have all other modern nations – a range of biologically widely diverse ancestors: from the ancient Roman(ised) indigenous population to the Slavs, Avars, Carantanians, Croats, Germans, Uskoks, Friulians, Italians, and many others. In this sense, the Slovenes too are indigenous. Not as the first inhabitants of the Slovene territory, as is believed by the supporters of various indigenist theories, who see historical development as a linear, continuing, genetically and ethnically determined process,<sup>2</sup> but as the fruit of a historical development that led to their formation in this territory, in which different identities are attested in different historical periods, the Slovene identity being only one of them.

Let us now return to the settlement of the Slavs. Disregarding various indigenist theories, according to which there simply was no Slavic settlement in the Eastern Alps in the late 6th century,<sup>3</sup> Slovene historiography interpreted the settlement in different ways in different periods, and roughly speaking two interpretations developed. Older historians, particularly the first generation of university-trained historians, those who laid the foundations of scientific historiography among the Slovenes in the Austro-Hungarian monarchy during the last quarter of the 19th century, saw the settlement of the Slavs as a near-apocalyptic event that wiped out or drove out the indigenous population, its culture and traditions. The then leading Slovene historian Franc Kos described it in the following words: “Soon afterwards disaster struck south Noricum. Slovenes (sic!) swept into the province and seized the land along the Drava and Mura. They destroyed Tiburnia, devastated the local bishopric and slaughtered the inhabitants or took them into slavery. /.../ It is fair to say that the Slovenes, when they invaded Pannonia and Noricum, acted with greater blood-thirst and ferocity than the Lombards, Goths, and other German peoples. /.../ If they had shown more mercy and tolerance, Slavic would not be heard today from ‘Triglav to the Balkans.’”<sup>4</sup>

Josip Gruden described the settlement of the Slavs in slightly milder terms in his history of the Slovene nation, which was published with a staggering print run of over 70,000 copies<sup>5</sup> on the eve of the First World War and had an important influence on the formation

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<sup>2</sup> See Štih 1997, 25 ff.

<sup>3</sup> Štih *ibidem*.

<sup>4</sup> Kos F. 1982, 79 and note 28.

<sup>5</sup> Moder 1957, 57.

of Slovene historical consciousness: “It is wrong to imagine that the settlement of the Slovenes (sic!) in their present homeland occurred peacefully, without effort or battle. Just as their relatives in the Balkans conquered land for their settlements by the sword, the Slovenes had to take the land they now inhabit by force. /.../ Following decades of violent clashes, the Slovenes defeated and subjected a part of the Roman and German inhabitants and drove the rest from the land. They burned down and ravaged the Roman towns and wiped out all traces of Christianity, so that there was not a church or priest left among the Slovenes for the next two hundred years.”<sup>6</sup>

Nevertheless, historians established relatively early that the settlement of the Slavs in the Eastern Alps was not a total break with the world of Antiquity and consequently that the fate of the indigenous population cannot be described merely with the terms “wiped out” or “driven out.” Milko Kos wrote in this sense in 1933 that “the South Slavs who settled the Eastern Alps and the Karst did not find the territory they invaded completely unpopulated. More or less numerous fractions of the old populations had remained” and “the influence of this indigenous population on the spiritual and physical structure of the Slovene immigrants should not be underestimated. They influenced the Slovenes (sic!) much more than we usually imagine. Many achievements of their material culture were passed on to the Slovenes.”<sup>7</sup> In his synthesis of Slovene history, Bogo Grafenauer also stressed that “a part of the Vlachs (i.e Roman(ised) population, note P. Š.) certainly awaited the Slavs and made an important contribution to their development in the Eastern Alps,” although he added that “the Slavs did not arrive in their new homeland as ‘peaceful doves’ /.../ but were obviously fiercer and more terrible invaders than the Germans in the eyes of the indigenous population. They conquered the new homeland in battle and did not want to share even the least bit of power with anyone.”<sup>8</sup>

These sentences, written by two leading Slovene medievalists of their time, capture the essence of the issue that conditions the answer to the title’s question. That issue is the continuity or discontinuity between Antiquity and the Early Middle Ages in Slovene territory, and it is an issue of general history. Under the influence of humanists who saw the

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<sup>6</sup> Gruden 1912, 43.

<sup>7</sup> Kos M. 1933, 49 ff.

<sup>8</sup> Grafenauer 1978a, 328.

“Migration Period” – a term that perhaps mystifies the historical processes between the 4th and 6th centuries more than it clarifies them – as the violent destruction of the Roman Empire and the culture and traditions of Antiquity, the generally accepted view in the 18th century was that of a total break between Antiquity and the Early Middle Ages, an opinion that was revised only in the past century. The research into the issue was not the sole domain of historians, as archaeologists, linguists, ethnologists, and others made substantial contributions to its clarification; their combined efforts yielded a wide range of important findings,<sup>9</sup> which essentially expanded our knowledge about this important period in Slovene history and which we can only briefly summarise here.

Archaeological excavations of the past three decades have essentially changed the image we used to have of Late Antiquity in the 5th and 6th centuries. Until quite recently, it was thought that life in the ancient towns in the Slovene territory survived until the end of the late 6th century, when they were supposedly sacked and burned down by the invading Slavs.<sup>10</sup> In reality, however, life in the four Roman towns in the territory of present-day Slovenia (Emona, Celeia, Poetovio, Neviodunum) had ceased much earlier, since archaeological finds do not attest their continuity into the 6th century. The same is true of *villae rusticae*, which were already abandoned in the 5th century. The late antique population moved to hilltop forts – settlement, church, and defence complexes built on nearly inaccessible and isolated heights, far from the major traffic routes. To date, over 30 such complexes have been discovered and these forts dominated the settlement picture of the Slovene territory in Late Antiquity.<sup>11</sup> They emerged out of need and the fear for one’s life and existence that reigned after the *limes* on the Danube in Pannonia was abandoned in the late fourth century, opening the way towards the West and Italy to small and large barbarian groups. Yet in spite of this crisis, the territory remained part of the Roman world and its organisational structure, and neither Odoacer’s nor Theodoric’s later Gothic rule constituted a clear break with the Roman order. The end of Antiquity in the Pannonian-Noric territory at the borders of Italy came about later, close to the middle of the sixth

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<sup>9</sup> See especially miscellany of scientific papers *Alpes Orientales* 5 (1969), which is entirely dedicated to these questions, and Petru 1978, 221 ff.

<sup>10</sup> Petru 1979, 91.

<sup>11</sup> Ciglencečki 1987; Ciglencečki 1994, 239.

century, when the region was abandoned to the Franks and the Lombards.<sup>12</sup> What happened to the local population after the settlement of the Lombards in Italy in 568 is not clear. Although they continued to live in fortified hilltop settlements, people were left more or less to their own devices. The Church, which held out the longest at the local level, assumed an important role in the organisation of life, or so it appears from the picture we have of Noricum ripense.<sup>13</sup> It is hard to imagine any military defence of the Slovene territory after 568, and it is highly likely that the Slavs invading the Eastern Alps met with no serious resistance.<sup>14</sup>

The reports of Slavs battling the Bavarians in the Upper Drava Valley in the last decade of the 6th century, as well as those of Pope Gregory the Great writing in 599 or 600 about Slavs pressing on the border of Italy across the Karst,<sup>15</sup> indicate that the Slavs had by then already settled the river basins of the Sava and Drava. Inasmuch as the absence of the names of several bishops from the Noric and Pannonian territory from the synodal records of the patriarchate of Aquileia, dating from the last quarter of the 6th century, indeed means – as is assumed – that their bishoprics had collapsed due to the invading Slavs, it is even possible to determine with greater accuracy the chronology of the settlement of the Slavs and their assumption of supremacy.<sup>16</sup>

Invading under Avar overlordship, the Slavs did not settle an empty territory but ran into the Roman(ised) indigenous population. We can only surmise how numerous this population was and what its social structure looked like. What is almost certain is that a part of the old population fled westwards from the advancing Slavs – towards Byzantine Istria and Lombard Friuli. A report by Pope Gregory the Great

<sup>12</sup> Cf. Wolfram 1995, 103 ff.; Wolfram 1995a, 65, 70.

<sup>13</sup> Eugippius, *Vita sancti Severini*, 135 ff., 160 ff.; cf. also Wolfram 1995a 47 ff.; Glaser 1997, 45. In Slovene territory the bishops of Emona and Celeia, Patricius and Johannes, resided in their dioceses as late as 572/77 (see *Concilium Mantuanum* a. 827, 588 [the synod of Grado]) – that is at the time of the government and political vacuum after the departure of the Lombards. On the issue of the collapse of the ancient church organisation in the Eastern Alps, see Grafenauer 1970–1971, 17 ff.; Berg 1985, 78 ff., especially 88 ff.; Bratož 1990, 28 ff.

<sup>14</sup> At that time the eastern border of Italy seems not to have been defended any longer and the *Clastra Alpium Iuliarum* defence system must have collapsed entirely, because the Lombards moved onto Italian soil without any difficulties; see Štih 1999b, 103 ff.

<sup>15</sup> Paulus Diaconus, *Historia Langobardorum* IV 7, 10; Gregorii I Papae *registrum epistolarum* 2, IX, no. 154.

<sup>16</sup> See Grafenauer 1970–1971, 17 ff.; Grafenauer 1988a, 321 ff.

from 599, stating that he had appointed a certain Johannes from Pannonia (probably the former bishop of ancient Emona, or it may have been the bishop of Celeia) as bishop of Novigrad in Istria<sup>17</sup> – a typical name for a newly founded settlement (*Novas*), whose medieval name *Emon(i)a* links it to the tradition of ancient Emona – suggests that the exodus of the local population to Italy mainly involved members of the leading and educated classes.

Those who were left behind had to cope with the new immigrants and new masters. The question that interests us most is the nature of those contacts. Did the Slavs upon their arrival in the Eastern Alps really “wipe out” the indigenous inhabitants, as Franc Kos assumed, and did they really commit ethnic cleansing and genocide, to use contemporary terms? Or, perhaps, was there a *modus vivendi* allowing the indigenous inhabitants to survive and even achieve prosperity?

That at least a part of the Roman(ised) indigenous inhabitants survived is attested by place names associated with the word *Vlah* (e.g. Lahovče, Laško), which the Slavs used for the Romans. The Vlach toponyms in present-day Slovene territory suggest, as Milko Kos established,<sup>18</sup> that the indigenous Roman(ised) population largely survived, scattered across Upper Carniola and in particular in the Kozjansko hills south of ancient Celeia, where extensive settlement in Late Antiquity is substantiated by the numerous fortified hilltop settlements unearthed by archaeologists.<sup>19</sup> The most evident legacy left to the Slavs by the indigenous population are the numerous ancient toponyms and hydronyms.<sup>20</sup> A systematic etymological investigation of all hydronyms in Slovenia has shown that there are surprisingly few pre-Slavic hydronyms, less than 6%, but they do include all major rivers.<sup>21</sup> The adoption of the Roman legacy was, of course, not limited to names but, more importantly, included segments of everyday economic life. The most significant novelty the Slavs adopted from the indigenous population was alpine dairy farming.<sup>22</sup>

<sup>17</sup> Gregorii I Papae registrum epistolarum 2, IX, no. 155; Rus 1939, 152 ff.; Šašel 1992, 578; for a different view see Berg 1985, 85 ff. A comprehensive overview of the issue is available in Bratož 1984, 65 ff.

<sup>18</sup> Kos M. 1985, 121 ff. (with a catalogue). A map showing the dispersion of Vlach toponyms is in Grafenauer 1969a, 72–73 and reprinted in Blaznik, Grafenauer, Vilfan 1970, 32–33.

<sup>19</sup> Ciglencečki 1992, 6 ff.

<sup>20</sup> Kos M. 1985, 133 ff.

<sup>21</sup> Bezljaj 1956; Bezljaj 1961; Grafenauer 1988, 361.

<sup>22</sup> Bezljaj 1967, 94 ff.; Cevc 1997, 7 ff.

Research has also revealed continuity between the ancient and early medieval settled areas. This means that land that was cultivated for a livelihood remained unchanged or, in other words, that the Slavs occupied an already settled area. However, if we compare the structure of this area in both periods, a clear difference is evident between Antiquity and the Early Middle Ages. The ratio of archaeological sites from the Roman era to those from the Migration Period to the end of the Early Middle Ages is approximately ten to one. And this difference in numbers is enhanced by the difference in quality: the material culture of the ancient sites greatly differs from the early medieval ones. Combining both findings, we cannot but reject the likelihood that the indigenous population survived the end of Antiquity as an essential segment of the later population.<sup>23</sup> The appearance of the cultural landscape also changed. Archaeological finds in fortified hilltop settlements largely end by the late 6th century – later ones are rare and sporadic – and life in them declined, though it did not necessarily cease.<sup>24</sup> Centuriation, the division of land into square fields that was typical of Roman agriculture and left its mark on the cultural landscape, is completely absent from the Slovene territory (but is known west of the Slavic settlement area, that is in Istria, Friuli, Tyrol, and Salzburg region, where a major share of Roman(ised) population is attested in the Early Middle Ages).<sup>25</sup> Our conclusion must then be that the practice was displaced by the new, extensive agriculture the Slavs brought with them. The field division as we know it today is completely different and of later origin: it emerged and developed from the Ottonian era onwards with the introduction of the hide (*mansus*) system and villages consisting of hides.<sup>26</sup>

The break further shows in the social structure. The institutions and organisations of Slavic society – as far as we know them after a century of intensive research, given that there are still more open questions than answers<sup>27</sup> – were based on large kinship groups, *župani*, *kosezi*, and princes, small settlements and variable fields, and were totally

<sup>23</sup> See Grafenauer 1988, 354 ff.

<sup>24</sup> See notes 11 and 19.

<sup>25</sup> Suić 1956, 7 ff.; Suić 1980, 96–101; Stucci 1949, 77 ff.; Grafenauer 1988, 369 ff.

<sup>26</sup> See Blaznik 1985, 185 ff.

<sup>27</sup> Among the numerous studies written on the theme in the past century, which caused intense scientific controversies, I refer to only two more recent studies, which offer a synthetic survey, point out open questions, provide a survey of the history of research into the theme, and include extensive bibliographies: Vilfan 1968, 35 ff.; Blaznik, Grafenauer, Vilfan 1980, chapters 29, 30, 32, 34.

different (if it is possible at all to compare these forms) from those in Late Antiquity. The new way of government organisation furthermore completely changed the spatial picture. In the territory of Noricum Mediterraneum, where as late as the first quarter of the 6th century under the Gothic rule a Roman structure of government administration, headed by a high military officer, is attested, and where dates were still established by the years of ruling Roman consuls as late as 533,<sup>28</sup> a new polity emerged on completely new foundations – Slavic Carantania.<sup>29</sup>

The religious and spiritual image of the Eastern Alps had radically changed too. Late Antiquity was the time when Christianity spread to the entire Slovene territory, including wide circles of the population even in remote fortified hilltop settlements. This development is evidenced by numerous preserved Christian monuments: sacral architecture (churches, baptisteries), inscriptions of a Christian content, liturgical objects, as well as objects from everyday life with Christian symbols and, of course, the well developed ecclesiastical organisation in bishoprics under the metropolitan authority of the patriarch of Aquileia.<sup>30</sup> This ecclesiastical organisation collapsed in the late 6th century and Christianity faded. The fact that the Slovene territory was re-Christianised in the second half of the 8th and first half of the 9th centuries<sup>31</sup> illustrates quite clearly the depth of the changes in spiritual life that were caused by the settlement of the Slavs and the Avar hegemony connected with it.

Another aspect of vital importance for our theme is that Christianity did not completely vanish in the 7th and 8th centuries, and that the descendants of the Roman(ised) indigenous population were the guardians of the Christian traditions and one of the foundations for the Carantanian mission. Ivan Grafenauer explained the presence of the ancient Christian preacher's parable of life-long penance in the Slovene folk song about the "repentant sinner" with their mediation.<sup>32</sup> The survival of Christianity and its continuity – at least in certain local communities or environments – is attested beyond any doubt by the inscription on the tombstone of Deacon Nonnosus from 533, recently

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<sup>28</sup> Wolfram 1995a, 62 ff.; Glaser 1997, 129.

<sup>29</sup> Štih 1995, 21 ff.

<sup>30</sup> Bratož 1990, 3 ff.; Knific, Sagadin 1991, 11 ff.; Glaser 1997, 65 ff.

<sup>31</sup> Grafenauer 1991a, 29 sl.

<sup>32</sup> Grafenauer I. 1950, 5 ff.; Grafenauer I. 1965, 7 ff.

discovered in the church of the monastery of Molzbichl near Spittal, Carinthia; this monastery was probably founded after the last anti-Christian uprising of the Carantanians was quelled in 772. It is fair to imagine that the local indigenous population and their descendants were the bearers and guardians of the cult of this local 6th-century saint, whose relicts were transferred to the monastery's church together with his tombstone in the last quarter of the 8th century.<sup>33</sup> That a part of the indigenous Christian population survived into the Slavic era may be further suggested by the Old Slovene word *krščenica* (baptised, Christian woman) for maid. Anton Tomaž Linhart drew attention to the term already in the late 18th century,<sup>34</sup> and the Slavic ancestors of the Slovenes may have used it to refer to indigenous Christian women, whom the Slavs enslaved and made their maids following their settlement in the Eastern Alps, although the term may be explained in a different way.<sup>35</sup>

Today it even seems realistic to surmise that not only Christianity survived among the indigenous population within the Slavic world under Avar hegemony, but also the ancient church organisation, at least for some time and in some places. Rajko Bratož presented a range of arguments for the assumption that Andreas, the bishop of Celeia who participated in the 680 synod in Rome – he is mentioned in the list of signatories as *Andreas episcopus sanctae ecclesiae Celeianae prouinciae Istriae* – still resided in the territory of his original diocese, and that this was not a bishop whose see was moved to Istria following the Slavic settlement, as his signature may at first sight suggest.<sup>36</sup> Regardless of the fact that there is no unequivocal answer to the question,<sup>37</sup> the possibility that the ecclesiastical organisation was preserved partially and for a limited period in the Slavic world all by itself sheds additional

<sup>33</sup> Glaser 1989, 99 ff.; Karpf 1989, 125 ff.

<sup>34</sup> Linhart 1791, 330.

<sup>35</sup> The term “krščenica” for maid may be explained in the sense that baptised girls from poor families served with their wealthier godmothers in the villages; see Grafenauer 1981, 398.

<sup>36</sup> Bratož 1996, 205 ff. In addition to the patriarch of Aquileia (Grado) and the bishops from the Istrian peninsula (Pula, Poreč, Cissa (?), Trieste), three bishops from Venetia (Opitergium, Padua, Altina) – of which two (Opitergium, Padua) even were from the Lombard part of the patriarchate of Aquileia – are listed as bishops from Istria. This clearly means that the term did not refer exclusively to bishops who resided in Istria, including Andreas of Celeia; nevertheless, the reference does not exclude the possibility that Andreas indeed resided in Istria.

<sup>37</sup> The fate of the bishopric of Celeia in the late 6th century remains an open question. If it did collapse and the bishop of Celeia indeed sought refuge in Istria – these



light on the early medieval history of the Slovene territory, its links with Antiquity, and the relationship between the indigenous inhabitants and the newcomers.

The questions related to the issue of continuity thus show that the Slovene and wider area of the Eastern Alps witnessed one its biggest turning points in the late 6th century, but also that there was no total break with the past. Historical sources tell us that a part of the indigenous population sought refuge from the approaching Slavs and Avars in the coastal towns under Byzantine rule, where the ancient traditions were preserved well into the following historical periods.<sup>38</sup> Another part of the indigenous population undoubtedly remained at their homes and was integrated into the new social and political reality. It was these indigenous inhabitants and their gradually Slavified descendants who passed on at least part of the ancient traditions to the Slavic newcomers, and this heritage has been preserved to the present day, in particular in toponyms and hydronyms.

Nothing is known with any certainty about the numbers of these indigenous inhabitants and what their social position was like in the new conditions. If the word *krščenica* originally really referred to an indigenous Christian woman under Slavic rule, then it is obvious what the predominant social position of the indigenous people must have been. In view of linguistic assimilation, the predominance of discontinuity over continuity, and the relatively scarce traces of the ancient heritage in the Early Middle Ages, it is fair to assume that the indigenous inhabitants constituted only a small portion of the then population of the Slovene territory, a territory that was moreover extremely sparsely populated. There was much less space suitable for living as we know today because most of it was developed later, during the colonisation of the High and Late Middle Ages, when enormous areas of forest were cleared and nearly all the settlements existing today emerged.<sup>39</sup>

However speculative it may be to speak about absolute numbers in older historical periods, I would like to draw attention to Sergej Vilfan's estimate of the then population, as it is to date the best founded and therefore most acceptable estimate, although it is not necessarily real.

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assumptions are supported by limited, but significant indications in the sources – then it seems hardly credible that it was refounded and that Andreas really resided in the bishopric after which he was named in 680. See Štih 2000, 370 and note 85.

<sup>38</sup> Mayer 1903, 211 ff.; Vilfan 1975, 19 ff.

<sup>39</sup> See Kos M. 1985, 67 ff.

Based on the oldest source of a statistical nature referring to one part of the Slovene territory – the urbarium of the extensive estate of the bishops of Freising in Škofja Loka from 1160 (*Notitia bonorum de Lonka*)<sup>40</sup> – and working backwards, Vilfan estimated that in the early medieval period in the time of extensive agriculture a mere 20,000 people, including indigenous inhabitants and Slavic immigrants, lived in the territory of present-day Slovenia, or approximately 1% of the present population; in statistical terms: one inhabitant per square kilometre.<sup>41</sup>

If we now return to the title's question, it is perfectly clear that the answer must be negative and that we should imagine the Slavic settlement of the area between the North Adriatic Sea and the Eastern Alps in quite different terms than Franc Kos did in his time. The Slavs neither massacred nor "wiped out" the indigenous population; furthermore, the image of a Slavic wave or tide sweeping into the Eastern Alps – so common in historical literature – has no real foundation for quantitative reasons.<sup>42</sup> We have no idea and will probably never know whether military confrontations or even major battles, suggesting organised resistance by the indigenous population, accompanied the Slavic settlement of the Eastern Alps. That the new settlers were skilled in battle is supported by the reports of clashes between Slavs and Bavarians in the Upper Drava Valley, but they also tell us that, after their defeat in 592, the Slavs prevailed over the Bavarians three years later only after the khagan came to their assistance (with his horse-mounted army).<sup>43</sup>

Considering general ideas about the way a new people takes possession of a territory previously controlled by another people, there is another phenomenon worthy of our attention. The end of a people, the disappearance of its name from history, is usually connected with ideas about its physical end. Physical extermination of one's foes was far from uncommon in the Early Middle Ages. A good example from Slovenia's neighbourhood is the story about Alcicucus (or Alzeco). The debacle of the Avar siege of Constantinople in 626 caused an internal crisis in the

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<sup>40</sup> *Notitia bonorum de Lonka*, 127–128. On the urbarium, see Thoma 1996, 7 ff.

<sup>41</sup> Vilfan 1993a, 214 ff.

<sup>42</sup> The expansion of the Slavs across a large part of Europe cannot be explained by a presumed explosive growth of the Slavic population. The phenomenon has to be explained in some other way, but this is far from favoured by the extremely poor sources. See e.g. the reflections in Pohl 1996, 316; Pohl 2002, 201 ff.

<sup>43</sup> Paulus Diaconus, *Historia Langobardorum* IV 7, 10.

khaganate, in which individual groups of the ruling military class battled one another for supremacy. Fredegar reports that in the struggle between an Avar and a Bulgar pretendent for the position of khagan among the Avars in 631/32, the Bulgar pretendent, whose name is unknown, was defeated. Driven out of Pannonia with an army of 9,000 men and accompanied by women and children, he sought refuge with the Bavarians. The Frankish king Dagobert allowed them to overwinter scattered across the Bavarian territory. But after this initial welcome the same Dagobert ordered a massacre, which only a group of 700 Bulgars led by prince Alcocius survived, who then sought refuge with the Slavic prince Vallucus in emerging Carantania. One generation later, the Bulgars moved to Benevento in Lombard Italy where they still retained their identity in the 8th century, as reported by Paul the Deacon.<sup>44</sup>

What is interesting about this story – regardless of how (in)accurate Fredegar’s numbers may be – is the question whether it is through physical extermination that we should imagine the end of early medieval peoples – for instance that of the Avars. After Charlemagne’s Avar wars in the late 8th century, which ended Avar hegemony over the Pannonian region, the Avars virtually vanished from history.<sup>45</sup> They are last mentioned as a political entity in 822,<sup>46</sup> and the Old Russian proverb “They disappeared like the Avars, who have neither descendants, nor heirs,” recorded in the Russian Primary Chronicle,<sup>47</sup> illustrates their abrupt demise. Our notions about the physical extermination of a people obviously fail to explain the phenomenon of the demise of the Avars, who dominated over large parts of Central and Southeastern Europe, because the sources make it perfectly clear that the Franks did not commit genocide against the Avars.

The end of the Avars as well as other peoples should therefore be interpreted in other ways. A shift in our understanding of this phenomenon was brought about by the new conception of early medieval peoples (*gentes*) as communities of identity, not biological communities. These peoples were the product of different ethnogenetic processes that actually never end, as new peoples continuously emerge and

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<sup>44</sup> Fredegar, *Chronicae* IV, 72; Paulus Diaconus, *Historia Langobardorum* V 29; See also Kos M. 1985, 145 ff.; Pohl 1988, 268 ff.

<sup>45</sup> See Pohl 1988, 312 ff.

<sup>46</sup> *Annales regni Francorum* ad a. 822.

<sup>47</sup> *Povest' vremennyh let* 11.

old ones disappear. Numerous concrete historical researches have shown that such transformations could have occurred in this way: the name of a people representing its ethnical identity is abandoned for a variety of reasons, the same people assume a new name, including a new ethnical identity, and thus become a new people. But there are also opposite examples: a certain identity or ethnical name, as well as the traditions connected with it, is so attractive that it does not disappear even when the bearers of this ethnical name change.<sup>48</sup>

If we now return to the example of the Avars and the phenomenon of their sudden demise, we first have to point out that the name of the Avars stood for a supra-regional and polyethnic community with a ruling military, horse-mounted class headed by a khagan.<sup>49</sup> Following the civil war in which the khagan was killed, the Frankish conquests, Bulgar advances, and Slavic pressures, the Avar polity collapsed in the late 8th century and Avar hegemony vanished. The Avar name therefore lost its prestige and meaning, and the inhabitants of the former Avaria no longer identified themselves with it. The name thus disappeared, but this does not mean that the people who carried it disappeared together with the name: Slavic and other fractions started to form into new local and regional communities on the ruins of the khaganate. New ethnogenetic processes started, forming new peoples with new names and thus new identities. This resulted in the emergence of new peoples at the fringes of the former khaganate: Bohemians, Moravians, Carniolans, Guduscans, Timocians, and others.<sup>50</sup>

Seen from this perspective, the relationship between the newly settled Slavs and the indigenous population of the Eastern Alps may be conceived in this way: the indigenous population who remained in the territory adopted a new identity in a relatively short period, including a Slavic name, language, its related traditions and way of living, and thus became Slavs.

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<sup>48</sup> For an evaluation of past research, see Pohl 1994, 9 ff.

<sup>49</sup> Pohl 1987, 44; Pohl 1988a, 254 ff.

<sup>50</sup> See Štih 1995, 38 ff.

## CHAPTER SIX

### THE ALPINE SLAVS AND THEIR NEIGHBOURS: FROM CONFRONTATION TO INTEGRATION

When speaking about the “Alpine Slavs” and their relations with their neighbours, we should bear in mind that the term was coined by modern historiography and was not derived from the historical sources.<sup>1</sup> It refers to the Slavs who, in the late 6th and early 7th centuries, settled the basins of the rivers of the Eastern Alps, the most important of which were Drava, Mura, Enns, Sava, Savinja, and Soča (Isonzo). In Late Antiquity, the core of this area belonged to Noricum Mediterraneum and further included the southern part of Noricum Ripense, the western part of Pannonia Savia, and the eastern part of Italy’s Tenth Region – Venetia and Istria. In the Early Middle Ages, the Roman provincial names were replaced with new names, and the described area was largely known under the names of Carantania and Carniola, as well as Friuli. These represented different politically organized territories.<sup>2</sup> “Alpine Slavs” is therefore a predominantly geographical term, because these Slavs never formed a politically, legally, or ethnically unitary complex in the sense of developing into a separate people with an individual identity.

We know next to nothing about the settlement of the Slavs in the Eastern Alps and pre-Alpine region.<sup>3</sup> The question of how this region turned Slavic is therefore as much an enigma as the phenomenon that an enormous area, extending from the Baltic to the Aegean Sea and from the Elbe river to the Russian steppes, was Slavicised within an amazingly short period.<sup>4</sup> Before the last decade of the 6th century there is no mention at all of Slavs in the Eastern Alps. At that time, they were

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<sup>1</sup> See Krahwinkler 2000, 403–423; Kahl 2002, 38.

<sup>2</sup> See Štih 1995, 21–45; Štih 2001, 19 ff.; Štih 2001a, 1 ff.

<sup>3</sup> For recent literature, see Štih 1999a, p. 79 ff.; Szameit 2000, 71 ff. (with different accents), Szameit 2000a, 507 ff., especially 516 ff.

<sup>4</sup> For a summary of current reflections and a presentation of models about the issue of the Slavic expansion in historiography, see Pohl 2002, 201 ff. Two contemporary monographs – very different in concept and content – dealing with the issues of the Early Slavs should be mentioned here: Barford 2001; Curta 2001.

probably already fighting the Bavarians in the Upper Drava Valley and penetrating into Italy across Istria or the Karst. The first reports – all from Italy – about the Slavs of the wider Eastern Alps, stem from letters by Pope Gregory the Great and Paul the Deacon's History of the Lombards,<sup>5</sup> and refer to the relations of the Slavs with their western neighbours: the Bavarians in the northwest, the Lombards of Friuli and the Roman(ised) population of Byzantine Istria in the southwest. The confrontations with these peoples decided the formation of the western border of the Slavic settlement territory in the Eastern Alps and pre-Alpine region. These conflicts also dominated the relationships of the Slavs with their neighbours in the early 7th century. Presumably around 610, the Slavs once more defeated the Bavarians near Aguntum at the upper Drava in what is today East Tyrol;<sup>6</sup> in the south, and somewhat later, the Lombards succeeded in subjecting the Slavs of Val Canale, which connects Friuli with Carinthia. Those Slavs were to pay a special tribute, *pensio*, to the Lombard duke in Cividale del Friuli for over a century.<sup>7</sup>

The Slavic settlement area in the Eastern Alps was incorporated – with the exception of the sparse Slavic population that fell under Byzantine rule in Istria or Lombard rule in Friuli – into the Avar supra-regional polity that had its centre in Pannonia.<sup>8</sup> It was part of Avaria, and the Avars – ruled by a khagan – were their political lords and had a decisive impact on the relations the subjected Slavs had with their western neighbours. The Avar khagan had already intervened decisively in the Slavic-Bavarian clashes around 595, when the Bavarians suffered losses in the range of a tribal army.<sup>9</sup> The khagan similarly determined the conditions at the border with Italy where the Avars, assisted by Slavs, laid waste to Byzantine Istria;<sup>10</sup> by burning down Cividale del Friuli in 611 they most likely lent a helping hand to their ally, the Lombard King Agilulf, against the immoderately independent duke of Friuli, Gisulf II, who met with his death on this occasion. The struggle for control over the first and most important Lombard duchy

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<sup>5</sup> Gregorii I Papae registrum epistolarum 2, IX, no. 154, X, no. 15; Paulus Diaconus, Historia Langobardorum IV 7, 10.

<sup>6</sup> Wolfram 1995a, 78 ff.

<sup>7</sup> Krahwinkler 2000a, 58 ff.

<sup>8</sup> Pohl 1988, 94 ff.

<sup>9</sup> Wolfram 1995a, 78.

<sup>10</sup> Štih 2001b, 12 ff.

in North Italy, fought between the central authority in Pavia and the regional one in Cividale del Friuli in the 6th to 8th centuries, was the prime reason for the involvement of the Avar and Slav neighbours in Friulian matters. The Avar khagan was a traditional ally of the Lombard king, and the bearers of Friulian autonomy sought assistance with the related Slavs from the Carantanian and perhaps Carniolan areas. When in 664, and upon the request of the Lombard king, the khagan's army invaded Friuli and killed the local duke, his son fled to Carantania – which is mentioned here as a territorial name for the first time – where he was given not only refuge but also military assistance for his failed attempt to take possession of his father's ducal position in Friuli.<sup>11</sup>

In the Drava basin in Carinthia, the scene of emerging Carantania, Avar hegemony ended in the 620s, when their failed siege of Constantinople and the Slavic revolt led by the Frankish trader Samo – probably joined by Slavs from the Carinthian area – shook the very foundations of the Avar khaganate. It was then, in the years and decades following the Avar disaster of 626, that the ethnogenesis of the Carantanians started.<sup>12</sup> All Slavic ethnogeneses in the territory of the Avar khaganate, from the Bohemian region in the north to the Dalmatian hinterland in the south, indeed started after the collapse of Avar hegemony. This means that the formation of the Carniolans into a separate Slavic people in the Sava basin south of the Karavanke cannot have taken place before the late 8th century, when Charlemagne's Avar wars put an end to Avar hegemony.<sup>13</sup> Nevertheless, the present-day Slovene territory, although incorporated into the Avar khaganate, seems to have been of marginal importance to the Avar way of life, as it was never included in their settlement territory. Its crucial importance to the Avars must therefore have been its function as a contact area with Italy and a springboard for incursions. Indeed, whoever controlled the area held the key that either opened or closed the gate to Italy's most exposed border. Avar rule over Slovene territory and its Slavic population should therefore be understood primarily in the sense of control over the ancient routes connecting Italy with the Pannonian area. It further appears that Avar rule over these Slavs created neither stable social

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<sup>11</sup> Štih 1999b, 114 ff.

<sup>12</sup> Wolfram 1995, 39 ff.; Krahwinkler 2000, 414 ff.; Kahl 2002, 67 ff., especially 134 ff.

<sup>13</sup> Štih 1995, 38 ff.

relations nor significant legal forms, leaving enough scope for a more or less autonomous Slavic social and legal order.<sup>14</sup>

The ethnic differentiation of the Alpine Slavs that led to the formation of two Slavic peoples, the Carantanians and Carniolans, in the Eastern Alps, was a process that ran parallel with the formation of their political communities. As is well known, early medieval peoples were legal communities governed by certain legal norms, regardless of how rudimentary these may have been.<sup>15</sup> In other words, this means that the existence of an ethnic community includes the existence of a politico-legal framework, in which such a community lives. Moreover, a politically organized territory was one of the generators of ethnogenesis and had a constitutive impact on the formation of ethnic identity. The first trace of political organisation among the Slavs of the Eastern Alps is the *marca Vinedorum* mentioned by Fredegar, which already had a political and lordship structure by virtue of having its own prince (*dux*) – Vallucus.<sup>16</sup> Initially it was perhaps incorporated, in a largely unknown way, into Samo's tribal union,<sup>17</sup> and later succeeded in preserving political independence from its Avar, Bavarian and Lombard neighbours in the political vacuum that emerged after the fall of Samo's kingdom in the remote alpine valleys of the Drava and Mura. The reference to its inhabitants with the collective tribal name of Vinedi-Slavs similarly suggests that the ethnic development in Vallucus's principality had not yet reached the stage where a political community had transformed into a particular ethnic community with a special tribal name. It would take another generation or two for the *gens Sclavorum* living in the province known as *Carantanum* to acquire the ethnonym *Carantani*, derived from this choronym.<sup>18</sup> The new tribal name, first attested in the *Cosmography* compiled by an anonymous geographer from Ravenna at an unknown date,<sup>19</sup> ended the ethnogenesis of the Carantanians, and this came about at the latest in the first decades of the 8th century.

At the same time the Carantanians sought to expand their territories at the expense of their western neighbours. In the 730s, they devastated the monastic cell of St Maximilian in neighbouring Pongau, Bavaria,<sup>20</sup>

<sup>14</sup> Vilfan 1968, 53.

<sup>15</sup> Škrubej 2002, 67 ff.

<sup>16</sup> Fredegar, *Chronicae* IV 72.

<sup>17</sup> Hauptmann 1915, 245 ff.

<sup>18</sup> Krahwinkler 2000, 414 ff.; Kahl 2002, 68 ff.

<sup>19</sup> *Ravennatis anonymi Cosmographia et Gvidonis Geographica* IV 37.

<sup>20</sup> *Breves Notitiae* c. 3.



and a decade later the Slavs from the *regio Zellia* in Val Canale stopped paying tribute to the Lombard dukes in Cividale del Friuli after over a century,<sup>21</sup> and this may be interpreted as their move or return to the Carantanian political framework. However, when in approximately the same period the Carantanians started to feel vitally threatened by their eastern neighbours, the Avars, they had to adapt their strategy in the west and seek cooperation instead of confrontation. The final result of this new state of affairs was that Carantania, via Bavaria, came under Frankish rule as a tribal principality. This political dependence manifested itself in their internal legal order, and the Frankish kings acquired the right to have their say in the installation of a new prince of the Carantanians.<sup>22</sup> As early as the middle of the 8th century, the Carantanians were thus among the first to adopt a political model that linked a tribal constitution to the authority of the Frankish king. Later, in the 9th century, this model became common at the eastern and south-eastern borders of the Frankish Empire.<sup>23</sup>

The link with Bavaria opened the way to the integration of Carantania into the Christian ecumene. The principal and most transparent instrument of the integration of pagan peoples into the West-European Christian civilisations was Christianisation. Inclusion in the community of Christians meant the adoption of the basic ethical norms required for coexistence, and Christianisation was therefore not just a religious act, but the best way to integrate newly acquired or conquered territories and their peoples.<sup>24</sup> Seen from this viewpoint, it is all the more understandable that the Frankish troops invading Avaria in 796 were accompanied by bishops. The conversion of individuals, who then went on living in a tribal community determined by pagan rituals, would fail to achieve its desired effect. To make Christianisation a success, it was vital to “Christianise from above.” The first to be converted were the social and political elite, in which the tribal prince, the legitimate representative of the entire people, was the key figure. In the eyes of the Franks, a people was considered converted from the moment its ruler adopted the Christian faith. In this sense, the Carantanians were the first converted Slavic people, as the Carantanian princes Cacatius

<sup>21</sup> Paulus Diaconus, *Historia Langobardorum* IV 38.

<sup>22</sup> *Conversio Bagoariorum et Carantanorum*, c. 4; see also the commentary by Wolfram 1995, 276 ff.

<sup>23</sup> Štih 1995, 28.

<sup>24</sup> Cf. Kaufhold 2001, 38 ff.

(Gorazd) and Hotimir converted to Christianity in the mid-8th century.<sup>25</sup>

The integration was neither fast nor easy. As early as the 760s, Carantania was shaken by three revolts and they were not directed exclusively against the new faith. In the eyes of the Bavarians, this was a *carmula*,<sup>26</sup> which in their legal language meant rebellion against the duke of Bavaria, i. e. against the legitimate authority.<sup>27</sup> The revolts bear witness to sharp divisions among the Carantanians themselves regarding their ideological-religious and political tendencies. Beside the prince Hotimir and his circle, which firmly supported the new faith and the affiliation with Bavaria, other forces obviously existed and were willing to forcefully assert their interests, conceivably because they had been deprived of their traditional positions. Opposition to the changes and integration was not limited to Carantania or the Slavs. The Bavarians also considered the uprising led by Louis, Duke of Lower Pannonia, which shook the southeast of the Frankish Empire between 819 and 823, a *carmula*.<sup>28</sup> The cause or motive was the generally formulated “cruelty and intolerance” of Cadaloh, the margrave of Friuli, whose rule extended to the Slavic tribal principalities in the Slovene Sava basin, Slavonia, and the Dalmatian hinterland. The conflict situation was caused by the relations between the Frankish holder of authority and his subordinate tribal structures, which the new regime certainly had not left untouched.<sup>29</sup> And it was precisely because of interventions in the local autonomy that the Diet of Rižana 804 (in the hinterland of Koper) addressed the complaints about the representatives of Frankish lordship in Istria; they were submitted by the Roman(ised) inhabitants of the peninsula, which the new regime had deprived of a range of rights and institutions from the Byzantine era.<sup>30</sup>

The uprising led by Louis of Lower Pannonia soon turned into a real war, which had a strong integrating impact on neighbouring Slavic tribes, and even spilled over into Bavaria, where the Slavs, after nearly a century had passed, once more burned down the monastic cell of

<sup>25</sup> See Wolfram 1997, 279 ff.

<sup>26</sup> *Conversio Bagoariorum et Carantanorum*, c. 5.

<sup>27</sup> *Lex Baiwariorum* II 3; Puntschart 1931, 9 ff.; Jahn 1991, 472 ff.

<sup>28</sup> *Annales sancti Emmerammi Ratisponensis maiores* ad a. 819; See Krahwinkler 1992, 187 and note 380.

<sup>29</sup> Štih 2001, 55.

<sup>30</sup> *Placitum Rizianense*.

St Maximilian in Bischofshofen in 820.<sup>31</sup> Moreover, it laid bare the weakness of the Frankish regime in the southeast. Their concept of surrounding the imperial territory to the east of Bavaria, Friuli and Istria with a range of mainly Slavic client tribal principalities – which retained a great degree of internal autonomy under Frankish rule, while simultaneously constituting the empire's first line of defence – failed its first serious test. Joining the uprising, the Slavic tribes proved to be far too independent and therefore unreliable. This led to a thorough reorganisation that was concluded in 828. Tribal rule was replaced by the administration of a count.<sup>32</sup> The tribal princes were ousted Frankish counts from Bavaria. These changes, which involved the Slavic principalities in the Eastern Alps, and which led to the loss of political autonomy and identity and the institutionally most comprehensive integration of the local Slavs into the Frankish Empire, had consequences similar to those of the transformation of a *foederati* state into a Roman province.<sup>33</sup> The application of Bavarian-Frankish law spread to the Slavs of the Eastern Alps, and the Bavarians, who had first come to the area as missionaries and seigneurs, now became the central bearers of authority in the role of counts. The intensive integration processes, to which the Slavs of the Eastern Alps were subjected in the 9th century, are further illustrated by the first data on family ties between the Bavarian-Frankish aristocracy and the Carantanian nobles.<sup>34</sup> A Carinthian *notitia traditionis* (donation record) from the early 11th century, however, indicates that at that time Bavarian and Slavic legal communities still existed side by side, as the witnesses were divided into *testes tracti per aures* and *Sclauenicę institutionis testes*.<sup>35</sup> This suggests that it must have taken quite some time after the introduction of the new regime before the old traditions and customs sunk into oblivion.

The developments in the Eastern Alps in the Early Middle Ages, which saw the gradual integration of the local Slavs into the Carolingian-Frankish ecumene, were by no means exceptional. Similar structures and phenomena are found among the other Slavs at the eastern and southeastern borders of the Frankish Empire.<sup>36</sup> Differences, of course,

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<sup>31</sup> Salzburger Formelbücher und Briefe, 28.

<sup>32</sup> See Štih 1994, 212 ff.

<sup>33</sup> Krahwinkler, Wolfram 2001, 109.

<sup>34</sup> Mitterauer 1960, 693 ff.

<sup>35</sup> MC 3, no. 205.

<sup>36</sup> See Kos M.1985, 182 ff.

existed and the historical development in the Eastern Alps differed from that on the Elbe River or in the Dalmatian hinterland. The similarities in structure of individual tribal and political formations, however, undoubtedly suggest an organisational-constitutional model that was in many regards common to all. If we expand our knowledge of things at one end, we will better understand how they developed at another end. A related event that I would like to mention here is the recent presentation to the public of a relief marble head with three faces, found in St. Martin am Silberberg in Carinthia.<sup>37</sup> But the key to our understanding and interpretation of this exceptional find lies in high medieval Denmark, over one thousand kilometres away: around 1200, Saxo, the secretary to the archbishop of Lund, wrote a book entitled *Gesta Danorum*, which also includes reports on the destruction of a Slavic pagan temple in Arkona in 1168. Among the destroyed cult statues described by Saxo is one with several faces on a single head. The head from St. Martin am Silberberg thus obviously represents a deity, possibly Triglav, the three-headed god worshipped by the Carantanians when they were still pagans.<sup>38</sup> This interpretation, of course, ranks the find among the most important monuments not only of Carantanian history, but also of the wider Slavic environment in the Eastern Alps.

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<sup>37</sup> Gleirscher 2000, 149 ff.

<sup>38</sup> Kahl 1999, 49 ff.; Kahl, 2002, 296 ff.

## CHAPTER SEVEN

### THE CARANTANIANS – AN EARLY MEDIEVAL *GENS* BETWEEN EAST AND WEST

In the historical consciousness of the Slovenes and in their historical imagination, Carantania represents the first state of the Slovenes and overall one of the brightest pages of Slovene national history, which is otherwise regarded as rather ill-fated. It is therefore understandable that the Slovenes see the Prince's Stone (*Fürstenstein*), on which already the Carantians probably enthroned their princes and later the dukes of Carinthia symbolically assumed power in the Late Middle Ages, as a symbol of their ancient statehood. It is not surprising, then, that the Prince's Stone is one of the most important symbols of the entire Slovene history.<sup>1</sup> This perception is perfectly illustrated by the frescoes in the great entrance hall of the Slovene parliament building, constructed under the one-party communist system (1958), which show the history of the Slovenes from the "settlement to the victory of the socialist revolution." The Prince's Stone on the relief door of the western portal of Ljubljana Cathedral, consecrated by none less than Pope John Paul II during his first visit to the newly independent Slovenia (1996), occupies a similar place as one of the nation's principal symbols; the relief depicts the ecclesiastical and religious history of the Slovenes from their Christianisation onwards, and the Christianisation of the Carantians is again interpreted as that of the Slovenes.

On the other hand, the Carinthians – we can safely say only those belonging to the German segment of the population, not the Slovene one – see the Prince's Stone as a symbol of the history of the *Land* of Carinthia, and consider the Slovene perception of the Prince's Stone as the appropriation of a foreign symbol – their symbol indeed. The decision of the Slovene government to depict the Prince's Stone on the "Slovene" side of the two-cent coin when the country adopted the euro on January 1st, 2007, predictably drew sharp reactions and protests from Carinthia. Jörg Haider, at the time the governor of Carinthia, commented that the monument should feature on one of Austria's

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<sup>1</sup> See Štih 2005, 105 ff.

coins, as this would “associate it with Austria’s national history, where it really belongs.”<sup>2</sup>

This introduction to the theme which the present article wishes to address may be from quite a different period, but it seems justified for at least two reasons. First of all because it confirms an often-witnessed fact that the modern context frequently determines how relevant ancient history is. If there is no such context and ancient history has not turned into contemporary history or even become part of current politics, it generally does not interest a living soul. It required “Slovenia’s insensitive use of a symbol of Carinthia and Austria,” as the chairwoman of the Carinthian Historical Society, Claudia Fräss-Ehrfeld, put it, to wake the German-speaking Carinthians from their “hundred-year sleep” and remind them of the importance of Carantania and the Prince’s Stone to their *Land*.<sup>3</sup> The ensuing controversies about the Prince’s Stone perfectly illustrate how modern notions shape our view and understanding of the past. Both Carinthia and Slovenia see the Prince’s Stone almost exclusively in the national context, as something that belongs only to “us” and can be only part of one or the other national history.

To the present day, the ideology of nationalism, which marked the 19th century no less than the industrial revolution did, continues to have the strongest impact on our understanding of history. The combination of a Romantic political philosophy on the one hand, and historiography and comparative linguistics on the other hand, led to the conception that the European nations are very old and stable organisms and that their vitality and near-immortality is substantiated by the very fact that they have withstood unchanged the ravages of history for over a millennium. The consequence of such an understanding is in its essence extremely negative: history was squeezed into a national corset that shaped it backwards in time in obedience to the notions of national ideologies and to the degree that we are now hardly capable of imagining history beyond this national uniformity. Contemporary research has, however, shown clearly that the continuity between early medieval peoples and modern nations is more seeming than real, and that ethnicity is essentially a political category. To put it bluntly, ethnic identity is not in the milk from one’s mother’s breast but results from

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<sup>2</sup> <http://www.ktn.gv.at/?siid=33&arid=2654> (visit of March 2006).

<sup>3</sup> *Ibidem*.

political processes and, as such, is subject to continuous change. It is indeed a never-ending story and ethnogeneses are always open processes that are never completed, but continuously transformed.<sup>4</sup> The Carantianians, who left a profound mark on the history of the Eastern Alps in the Early Middle Ages, are part of this never-ending story of changing identities too.

Over twenty-five years ago, Herwig Wolfram was the first to apply the contemporary findings of ethnogenetic research to the Carantanian circumstances. His commentary, published in 1979, of *Conversio Bagoariorum et Carantanorum* – which must be considered a source of exceptional importance, even in the European context, because it is the only one that contains information, dating back as far as the mid 8th century, on a people which its contemporaries perceived as Slavic – can therefore be rightly deemed a paradigmatic work, and the direction Wolfram outlined proved to be highly productive.<sup>5</sup> Its significance is further confirmed by the latest and to date most extensive monograph on the Carantianians and Carantania, published by Hans-Dietrich Kahl a few years ago.<sup>6</sup> Regardless of the fact that many of his theses are highly unconventional or even contentious and that he repeatedly takes the science of history beyond its cognitive capacities, his discourse nevertheless remains within the coordinates set by Wolfram's commentary of the *Conversio Bagoariorum et Carantanorum*.<sup>7</sup>

Over the last quarter of a century, a range of archaeological discoveries in Carinthia, some of them quite sensational, have contributed to a better understanding of Carantanian history, and Franz Glaser may be credited for most of them.<sup>8</sup> These discoveries clearly establish the increasing significance archaeology has in the research into Carantanian history, bearing in mind that proper archaeological research has yet to be carried out in some of the former Carantania's central sites – Karnburg, Maria Saal, and Moosburg. A monograph by Katja Škrubej, published in 2002, most recently drew attention to the importance of philological research to our knowledge of the history of Carantania; based on a linguistic analysis of the texts of the Freising manuscripts and the other oldest Slavic (Slovene) texts, she reconstructed the legal

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<sup>4</sup> See e.g. Graus 2002, 65; Geary 2002; Wiwjorra 2006, 27 ff.

<sup>5</sup> Wolfram 1979. See also Wolfram 1995.

<sup>6</sup> Kahl 2002.

<sup>7</sup> See Štih 2006b, 99–126.

<sup>8</sup> Cf. Gleirscher 2000.

terminology of the Alpine Slavs and even succeeded in extracting some essential elements of court procedure.<sup>9</sup> This has given us precious insight into a segment of tribal law that is extremely elusive in oral societies like the Carantanian, because it functioned at the level of customs and was not codified.

In its famous 4th chapter, *Conversio Bagoariorum et Carantanorum*, written in Salzburg in 870, provides the basic and oldest information on the Carantanians, referring to them in the following terms: “Slavs called Carantanians” (*Sclavi, qui dicuntur Quarantani*), “the prince of this people [i.e. of the Carantanians]” (*dux gentis illius*) or “the prince of the Carantanians” (*dux Carantanorum*).<sup>10</sup> Three quarters of a century earlier, Paul the Deacon informs us that Carantania is inhabited by a “Slavic people” (*gens Sclavorum*).<sup>11</sup> Early medieval writers from the immediate neighbourhood thus identified the Carantanians as a specific people (*gens*), which had its own ethnical identity, expressed by the tribal name, was ruled and represented by a prince (*dux*), and, moreover, in the perception of the writers possessed elements that allowed them to define it as a Slavic people. Their terminology clearly shows us that they considered this people a specific political and ethnical entity.

The ethnonym of the Carantanians was derived from the place name Carantania, implying a politically organized territory as reported by Paul the Deacon.<sup>12</sup> Originally, and as the toponym *Caranta* or *Carenta*, which is of pre-Slavic origin, the name stood for a much smaller area and was associated with the area of Zollfeld and/or Ulrichsberg, first mentioned as *mons Carentanus* in 983.<sup>13</sup> This was also the location of Karnburg or *Carentanum, curtis Corontana, civitas Carentana*, as it is mentioned in the 9th and 10th centuries,<sup>14</sup> and last but not least the site of the most important church in Carinthia of the time – *ecclesia sanctae Mariae ad Carantanam*, consecrated by Modestus in the course of his mission to Carantania soon after the mid 8th century.<sup>15</sup> Karnburg, where King Arnulf celebrated Christmas in 888, and mentioned a

<sup>9</sup> Škrubej 2002; Škrubej 2003, 399 ff.

<sup>10</sup> *Conversio Bagoariorum et Carantanorum*, c. 3, 4.

<sup>11</sup> Paulus Diaconus, *Historia Langobardorum* V 22.

<sup>12</sup> See Bertels 1987, 107 ff.; Krahwinkler 2000, 414.

<sup>13</sup> Kahl 2002, 67 ff.

<sup>14</sup> See Ferluga, Hellmann, Kämpfer, Ludat, Zernack 1982, 305 ff. (s. v. *Carantana, Carantani, Carantania*); Wolfram 1995, 73 ff.; Kahl 2003, 367 ff.

<sup>15</sup> *Conversio Bagoariorum et Carantanorum*, c. 5.



century later as *sedes regalis*,<sup>16</sup> was also home to the Prince's Stone, connected with an enthronement ceremony which is however documented beyond dispute only for the period from the early 14th century onwards.<sup>17</sup> Karnburg thus appears to have been the centre of the Carantanian principality and the seat of its prince: as in many other cases, the Carantanian name spread from its political centre<sup>18</sup> to cover, in the first stage and as the choronym *Carantanum*, the area ruled by the prince from *Caranta*/Karnburg; in the next stage, the ethnonym *Carantani* was derived from it, referring to its inhabitants and to be understood as “the people from Caranta” or “belonging to Caranta.”<sup>19</sup> The development of the terminology from *Caranta* to *Carantanum* and *Carantani* is therefore a clear linguistic indicator of the political and ethnical process that unfolded in the Carinthian area after the end of Late Antiquity and the disintegration of its provincial system of government.

The beginnings of this process of political and ethnical stratification are connected with the settlement of the Slavs in the river basins of the Eastern Alps, including the area of Carinthia, in the late 6th century. The scarce and therefore all the more precious information on these milestone events comes from Paul the Deacon, a Lombard and native from Cividale in neighbouring Friuli.<sup>20</sup> It tells us that in the eyes of outside observers the Carinthian area was considered a “land of the Slavs” (*Sclaborum provincia*) soon after 590; that considering the clashes between the Slavs and Bavarians on the Drava in Carinthia, the Slavic settlement was most likely a military occupation carried out by appropriately organized Slavs; and that the Avars played a considerable, if not decisive, role in these developments. The military assistance the Avar khagan offered to the Slavs in their second battle with the Bavarians around 595, when the Bavarians suffered losses measured against the size of a tribal army, was a clear demonstration of power and made it clear beyond any doubt that the Drava Valley belonged to the Avar sphere of dominion.<sup>21</sup>

<sup>16</sup> *Annales Fuldenses* ad a. 888; D. O. II., no. 292.

<sup>17</sup> Cf. e.g. Pleterski 1997, 45 ff.; Kahl 1997, 226 ff.

<sup>18</sup> See Štih 2006b, 111 ff.; for a dissenting opinion see Kahl 2002, 160 ff., who thinks that the seat of the Carantanian prince was in Moosburg.

<sup>19</sup> Kranzmayer 1956, 22 ff.; Krahwinkler 2000, 415.

<sup>20</sup> Paulus Diaconus, *Historia Langobardorum* IV 7, IV 10, IV 39. See Bertels 1987, 92 ff.

<sup>21</sup> See Gleirscher 2000, 20 ff.; Ladstätter 2002, 219 ff.; Szameit 2000, 71 ff.; Szameit 2000a, 507 ff.; Fritze 1979, 537 ff.; Pohl 1988, 147 ff.

The population the Slavic groups and their Avar lords encountered when they invaded the area of the former Roman province of Noricum was of very diverse origin. The provincial Romans were a mixture of Illyrian and Celtic fractions, Italic colonists, and army veterans. They were joined in Late Antiquity by Germanic groups – Lombards and in particular Ostrogoths – whose rule was but a continuation of Roman traditions and Roman statehood on Norican soil. All this made no difference to the Slavs: to them these indigenous Roman(ized) inhabitants were simply and only Vlachs. Those among them who had not fled to Italy or, for instance, Salzburg, where they possibly took the cult of the Norican martyr Maximilian of Celeia,<sup>22</sup> had to come to terms with the new conditions and Slavic newcomers and were gradually integrated into the new social and political reality.<sup>23</sup>

The new lords however brought to this area of ancient traditions and culture such strong influences from the East that they changed it almost beyond recognition. A new linguistic identity started to spread and has been preserved in the Carinthian (and wider) area to the present day. Christianity was ousted by a pagan paradigm that is eminently illustrated by the head with three faces from St. Martin am Silberberg.<sup>24</sup> The decline of hilltop settlements, of which the most representative was that on Hemmaberg in Jauntal, changed the settlement picture of the land.<sup>25</sup> The ancient economy, whose success was symbolised by Norican iron, was replaced by forms and tools that undoubtedly meant a step backwards.<sup>26</sup> The organisation of society and power equally changed, but right here it is hardest to distinguish between Slavic and Avar traditions and institutions. *Bani*, *župani*, the Croats, who left surprisingly strong traces in Carinthia, as well as the enigmatic *kosezi*, are all terms usually associated with a Slavic context, but it is quite possible that they were originally part of Avar social structures.<sup>27</sup>

The term *Sclaborum provincia*, resulting from the transformation of the Carinthian area, simply subsumed all these changes, and Antiquity thus ended on former Norican soil around 600. What was left of the

<sup>22</sup> See Bratož 1999, 247; Štih 2001b, 19 ff.

<sup>23</sup> See Štih 1999a, 79 ff.; Štih 2001, 19 ff.; Bratož 2005, 154 ff.

<sup>24</sup> Kahl 1999, 49 ff.; Kahl 2002, 222 ff.; Kahl 2005, 9 ff.

<sup>25</sup> Cf. Gleirscher 2000, 43 ff.; Ciglencečki 2000, 119 ff.; Glaser 2000, 199 ff.; Guštin 2002.

<sup>26</sup> Kahl 2002, 292 ff.

<sup>27</sup> See Vilfan 1968, 35 ff.; Pohl 1988, 261 ff.; Wolfram 1995, 50 ff.; Štih 2000, 375 ff.; Grafenauer 2000, 102 ff.; Kahl 2002, 171 ff.

ancient heritage was primarily preserved by the indigenous population: not only were they the carriers of continuity, but they also mediated ancient traditions to the Slavic newcomers.<sup>28</sup> And for this reason the notion *Sclavorum provincia* or similar terms used by contemporary chroniclers should not be taken absolutely, in the sense that the local population was ethnically and linguistically homogeneously Slavic. When outside observers refer to the area and its inhabitants as Slavic, they base themselves primarily on the political elite that operated and represented the area to the outside world, because they saw that elite as Slavic, and it was their lordship that brought about the great changes in the organisation of society as well as in everyday life.

The first visible contours of an independent political organisation in the area of emerging Carantania become tangible around 630, when a special March of the Vinedi (*marca Vinedorum*) is mentioned between Bavaria and Lombard Italy, headed by prince Vallucus (*Wallucus dux Vinedorum*).<sup>29</sup> The march had to develop and assert itself in battles with its neighbours: the Bavarians, Friulian Lombards, and in particular its rulers – the Avars. The last time the Carinthian Slavs successfully fought the Bavarians was in the area of Lienz around 610.<sup>30</sup> Sometime before 625, the Lombards managed to occupy the “Slavic land, called Zellia up to Maglern” (*Sclavorum regionem quae Zellia appellatur usque ad locum qui Medaria dicitur*).<sup>31</sup> The Friulian Lombards thus assumed control over the most important connection with the north through Val Canale up to the present Austrian-Italian border near Thörl, and the local Slavs had to pay a special tribute (*pensio*) to the Lombard dukes in Cividale for more than a century. In a charter issued by Louis the Pious for the benefit of the Aquileian patriarch Maxentius in 824, this border area is still referred to as *fines Sclavinie* – the border of the land of the Slavs.<sup>32</sup>

The Lombards again fought the Alpine Slavs with success in 631, as part of the great but in the end abortive military campaign of the Frankish king Dagobert I against Samo.<sup>33</sup> Samo, who was a Frank,

<sup>28</sup> See recently Bratož 2005, 163 ff.

<sup>29</sup> Fredegar, *Chronicae* IV 72. See Hauptmann 1915, 245 ff.; Grafenauer 1952, 472; Kos M. 1985, 145 ff.; Bertels 1987, 104 ff.; Pohl 1988, 268 ff.

<sup>30</sup> Paulus Diaconus, *Historia Langobardorum* IV 39. On the dating of this report to around 610 or 626, see Kos M. 1985, 165 ff.; Pohl 1988, 239 and note 19; Wolfram 1995, 39 and note 149.

<sup>31</sup> Paulus Diaconus, *Historia Langobardorum* IV 38.

<sup>32</sup> Unedirte Diplome aus Aquileja, no. 5. For *regio Zellia* and *locus Medaria* (*Meclaria*) see Bertels 1987, 99 ff.; Krawarik 1996, 463 ff.

<sup>33</sup> Fredegar, *Chronicae* IV 68. See Grafenauer 1952, 472 ff.; Krahwinkler 1992, 46.

joined the uprising of the Central European Slavs against the Avars in 623, and it seems that the uprising was also joined, though in a largely unknown way, by Slavs from the Carinthian area.<sup>34</sup> However, the episode of the Bulgar refugees under Alcicocus (Alzeco), who found refuge in the area under the sway of prince Vallucus around 631/32,<sup>35</sup> clearly shows that its Slavs (and other inhabitants) had by then managed to throw off the lordship of the Avar khagan, whose power had been dwindling for a long period following the defeat at Constantinople in 626, and simultaneously assert their independence against its western neighbours.

In terms of the structure of power, the position of Vallucus's Slavs around 630 hardly differed from that of Borut's Carantianians around 740, as both peoples were headed by a prince, and the beginnings of Carantania as a special polity, as well as the beginnings of the Carantianians as a specific medieval people (*gens*), are to be found right here – in the period following the end of Avar lordship, and this is a general feature of Slavic ethnogeneses on Avar soil.<sup>36</sup> It must of course have taken two, three, or even four generations of ethnogenetic development in this geographically rather remote region of the Alpine valleys of the Drava, Mura and Upper Enns, before the specific ethnical name of the Carantianians asserted itself.<sup>37</sup> The early history of the Carantianians once more proves that ethnogenesis is in fact a political process. In much the same way as the political and power framework attested by prince Vallucus was a precondition for the formation of a specific Carantianian ethnical identity, its abolition through the removal of the last Carantianian prince in 828 caused its decline.<sup>38</sup>

The ethnogenesis of the Carantianians was certainly complete before 740, when under prince Borut and in crucial circumstances they make their first manifest appearance in history. The Carantianian *gens*, whose ruling class and its language, traditions, religion, etc. marked it as a Slavic people, had polyethnic roots as had other early medieval peoples.<sup>39</sup> The new community was a mixture of indigenous Roman(ized)

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<sup>34</sup> Hauptmann 1915, 245 ff.; Grafenauer 1952, 474; Bertels 1987, 103 ff.; Pohl 1988, 256 ff., especially 259.

<sup>35</sup> Fredegar, *Chronicae* IV 72.

<sup>36</sup> Cf. Štih 2001a, 8 ff.

<sup>37</sup> Wolfram 1991, 178 ff.; Krahwinkler 2000, 415.

<sup>38</sup> Kahl 2002, 401 ff.; Štih 2004a, 16 ff.

<sup>39</sup> On the issue of whether the majority population of Carantania were Slavs or indigenous Roman(ized) inhabitants, see most recently Bratož 2005, 166 ff.

inhabitants from the Carinthian area, new Slavic settlers, Croats (if they really were an ethnical group and not a social class), and probably also Dudlebs, while Avar, Bulgar and Germanic fractions cannot be excluded.<sup>40</sup> The stratification and homogenisation of these different substrata was generated by the fact that the Carantanians functioned as a political and legal community. This had an affirmative effect on linguistic and cultural unification. We will probably never find out to what degree Slavic succeeded in ousting the other tongues in Carantania. There can be no doubt however that Slavic had a superior position as the language of the power and that this must have made it attractive: it was associated with the possibility to climb the social ladder. Its leading position among the Carantanian *gens* is also confirmed by the Freising manuscripts, the three oldest Slavic religious texts written in the Latin script, which according to the most credible explanations originated in association with the mission to Carantania and at the latest in the 9th century.<sup>41</sup>

Traces of these cultural relationships and transformations, which influenced Carantanian society, are possibly reflected in men's graves containing Avar belt sets as well as Frankish weapons and horse tack that must be attributed to members of the Carantanian ruling class.<sup>42</sup> The most representative of these graves was excavated in Grabelsdorf in the vicinity of Klopeiner See: it is dated to around 700 or somewhat later, that is to the period of pagan Carantania preceding Borut's rule and marked among others by the conclusion of the Carantanian ethnogenesis. The Avar belt set, possibly made in a Byzantine or Italian workshop, identified the rank of its wearer among the Avars, and together with the appertaining salt-cellar and Merovingian long sword and spur, they reveal Avar and Frankish-Bavarian elements. These exceptional grave goods once more demonstrate, in their own way, the importance of eastern and western traditions and influences among the Carantanians, and at the same time show the elements their wearer used to emphasize his high social status and to establish his equality with his Lombard, Bavarian, or Avar counterparts.<sup>43</sup> The deceased from Grabelsdorf was a sword bearer, horseman (who had already adopted

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<sup>40</sup> Wolfram 1979, 89; Wolfram 1995, 50 ff.; Štih 1995, 25 ff.; Kahl 2002, 79 ff.

<sup>41</sup> Monumenta Frisingensia.

<sup>42</sup> See Gleirscher 2000, 118 ff.

<sup>43</sup> Szameit, Stadler 1993, 213 ff.; Szameit 2003, 49 ff.; Karpf 1998, 172 ff.; Gleirscher 1996, 11 ff.; Gleirscher 2005, 56 ff.

the “western” riding style that included spurs), and power holder. Some historians even presume that the grave goods may represent the “uniform” of a Carantanian *ban*,<sup>44</sup> but such a decided conclusion cannot be wrested from the concrete archaeological finds; what is certain, however, is that the deceased must have been a member of Carantania’s ruling elite.

The subjugation to the Bavarians and consequently the Franks occurred around 743–745, and politically and culturally entailed that the Carantians were annexed to the West. One of the consequences of these landmark developments was the gradual decline of Avar influences in Carantanian society. According to archaeologists, no Avar objects have been found in Carantania that would necessarily date from after 770.<sup>45</sup> This finding corresponds well with the political situation in Carantania where, after the death of the fiercely pro-Christian prince Hotimir in 769, the anti-Christian and anti-Bavarian pagan opposition assumed power and it is not unthinkable that they sought support from the Avars. It took a military intervention by the Bavarian duke Tassilo III in 772 to re-establish the former conditions, and the Bavarian influence in Carantania then further increased, reflected especially in Salzburg’s intensified mission to Carantania.<sup>46</sup> The foundation of the monastery in Molzbichl near Spittal, by far the oldest monastery not only in Carinthia but in the entire Slavic world, probably dates from the same period.<sup>47</sup> One cannot exclude (nor demonstrate) the possibility that it was the requirements of these intensified missionary activities that led to the translation into Slavic of religious formulas right here in Molzbichl – formulas preserved in a record from around 1000 and known as the Freising manuscripts.<sup>48</sup>

The principal and most transparent instrument of the integration of pagan peoples into the West-European civilisations was Christianisation. Inclusion in the community of Christians meant the adoption of basic ethic norms required for coexistence, and Christianisation was therefore not just a religious act, but also a political means and the best way to integrate newly acquired or conquered territories and their peoples.<sup>49</sup> To make Christianisation a success, it was vital to “Christianise

<sup>44</sup> Kahl 1993, 49; Kahl 2002, 176; Gleirscher 1996, 28.

<sup>45</sup> Gleirscher 1996, 28; Gleirscher 2000, 118.

<sup>46</sup> Wolfram 1995, 283 ff.; Jahn 1991, 471 ff.; Dopsch 2000a, 671 ff.

<sup>47</sup> Glaser 1989, 99 ff.; Karpf 1989, 125 ff.; Amon 2001.

<sup>48</sup> Pleterki 1996, 27 ff.

<sup>49</sup> Cf. Geary 1998, 438 ff.; Kaufhold 2001, 38 ff.



Fig. 4. Grave goods from a man's grave, around 700 AD, Grabelsdorf, Carinthia (photo: Landesmuseum Kärnten, Klagenfurt).

from above.” The first to be converted was the social and political elite, in which the tribal prince was the key figure. In the eyes of the Franks, a people was considered converted from the moment its ruler adopted the Christian faith. In this sense, the Carantanians were the first converted Slavic people, as the Carantanian princes Cacatius (Gorazd) and Hotimir converted to Christianity in the mid 8th century.<sup>50</sup> Beside the bishop of Salzburg, Virgilius, and his regional bishop Modestus, Hotimir also contributed most to the spread of Christianity among the Carantanians.<sup>51</sup> The new faith, however, could not be spread without translations of at least the basic religious formulas into the vernacular language. This is how the Carantanians became the first Slavic people among whom Christian terminology started to emerge, and it cannot be excluded that this terminology found its way into Old Church Slavonic and the missionary activities of Constantine and Methodius.<sup>52</sup> The Christianisation of the Carantanians thus gained supra-regional significance.

The enhanced spiritual and cultural integration is, among others, reflected in the new way the Carantanian social elite presented itself as Christian in a Frankish or Bavarian manner; the adoption of the western way of living is particularly evident from the building of proprietary churches, richly decorated with tracery and other marble furnishing, which were not only a means of representation but also an expression of loyalty.<sup>53</sup> The political integration of the Carantanians into the Bavarian and Frankish political sphere ran parallel to these developments and was manifested by the appointment of a new prince to the likings of the Bavarians following the pacification of 772. The principal shift in these matters had however occurred earlier, around the mid 8th century, when the king of the Franks acquired an equal say – attested by the appointment of Cacatius (Gorazd) and Hotimir as princes – in the decision on whom to appoint as the new prince of the Carantanians, and the Carantanians were now also obliged to render military assistance to their new (over)lords.<sup>54</sup> This meant of course a

<sup>50</sup> See Kahl 1985 112 ff.; Wolfram 1995, 280 ff.; Wolfram 1997, 279 ff.

<sup>51</sup> See Dopsch, Juffinger 1985; Wolfram 1995a, 280 ff.

<sup>52</sup> Grafenauer I. 1936, 38 ff.; Grafenauer B. 1969, 148 ff.; Hannick 1996, 239 ff.

<sup>53</sup> Karpf 2000, 711 ff.

<sup>54</sup> *Conversio Bagoariorum et Carantanorum*, c. 4; Štih 2000, 384 and note 178; Štih 2001a, 12 ff. If the term *Sclavi* in the *Annales Mettenses ad a. 743* indeed refers to Carantanians, as is the *communis opinio*, then their engagement in the Bavarian army is attested in the battle between the Franks and Bavarians at the river Lech in 743. On this battle see Störmer 1973, 167 ff.



great change to the tribal constitution of the Carantanians, part of which were the old sacral structures that were being ousted by the new religion. In the mid 8th century, the Carantanians were thus among the first to adopt a constitutional model that combined a tribal constitution with the lordship of the Frankish king; this model later, in the 9th century, spread to the eastern and southeastern border regions of the Frankish empire.

An even more radical intervention in the tribal constitution of the Carantanians resulted from the events in 828. Forty years after the Bavarians had lost their last tribal prince – Tassilo III was removed in 788<sup>55</sup> – the Carantanians suffered the same fate.<sup>56</sup> Their last prince – his name Etgar may reflect Anglo-Saxon missionary traditions and may be identical with the founder of the church of St. Peter am Bichl on the western fringe of Ulrichsberg, who probably carried a double name (*O)tker-Radozla(v)*<sup>57</sup> – was replaced by a Frankish count. The shift from the tribal system to administration by counts heralded the end of Carantanian statehood and the loss of its political identity, and ushered in the structurally and institutionally most comprehensive integration into the Frankish empire; these changes had consequences similar to those of the transformation of a *foederati* state into a Roman province.<sup>58</sup> The application of Bavarian-Frankish law spread to Carantania, and the Bavarians who had first come to the area as missionaries and seigneurs now became the central bearers of authority in the role of counts. The intensive integration processes to which the Slavs of the Eastern Alps were subjected in the 9th century are further illustrated by the first data on family ties between the Bavarian-Frankish aristocracy and Carantanian nobles.<sup>59</sup>

The principality of Carantania was thus the first and oldest early medieval polity in the Eastern Alps. Furthermore, a comparison with the other Slavic peoples at the eastern Frankish borders from the Lower Elbe river to the Bohemian and Moravian regions, shows that the development in Carantania in many aspects preceded them by two or three generations. Some phenomena related to the organisation of power and government, which were common among the Slavic client

<sup>55</sup> Spindler 1981, 166 ff.; Jahn 1991, 540 ff.; Wolfram 1995a, 86 ff.

<sup>56</sup> *Conversio Bagoariorum et Carantanorum*, c. 10; Wolfram 1981, 313 ff.

<sup>57</sup> See Wolfram 1979, 126; Kahl 2002, 53. The inscription of the church's founder may refer to two related persons, e.g. (*O)tker-Radozla(vi filius)*.

<sup>58</sup> Krahwinkler, Wolfram 2001, 109.

<sup>59</sup> Mitterauer 1960, 693 ff.

principalities of the 9th century at the eastern and southeastern borders of the Frankish empire, were first documented with the Carantians.<sup>60</sup> There were probably several reasons for this earlier and faster development. Carantania's location in a geographically closed off and isolated Alpine region, which at the same time was in a sort of geopolitical vacuum between the Frankish and Avar powers, at least facilitated if not directly enabled its independent development. And we should not underestimate the vicinity of Italy or the heritage of Antiquity and its traditions: in the early medieval Slavic world of the Eastern Alps they survived to a greater extent than was thought earlier, while the Slavic peoples outside the borders of the former Roman Empire could not draw on this heritage. Another important feature of the principality of Carantania was that it managed to establish itself for quite a long period; and this was something of which Samo's tribal union, held to be the oldest known Slavic polity, was not capable: the authority of the "first Slavic king" had no firm institutional foundations, and Samo's death around 660 caused his "kingdom" to disintegrate.

The loss of their native prince and the abolition of their, albeit fragile, independent political entity in the long run sealed the fate of the ethnical identity of the Carantians. Like numerous other early medieval peoples, they vanished from history.<sup>61</sup> But the heritage they left was neither small nor irrelevant. Together with their name and the ritual of enthronement – to mention only the two most outstanding elements – this heritage was assumed by Carinthia. The continuity of the Carantian tradition in Carinthia is further substantiated by the fact that Carinthia became the first new duchy in the southeast of the empire between the Danube and the Adriatic Sea in 976 – long before Austria (1156), Styria (1180), or Carniola (1364). The statehood Carantania once possessed – without its traditions such an early origin of the new duchy would not have been possible – was passed on to Carinthia at another level and in another time.<sup>62</sup>

Unlike the Carinthians who, since John of Viktring in the first half of the 14th century, saw Carantian history as part of the history of the *Land* of Carinthia,<sup>63</sup> the Slovenes discovered the importance of

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<sup>60</sup> Cf. Kos M. 1985, 182 ff.; Štih 1995, 24 ff.

<sup>61</sup> Cf. Kahl 2002, 401 ff.

<sup>62</sup> See Kahl 1996, 419 ff.; Kahl 1998, 211 ff.; Kahl 2000a, 978 ff.; Štih P., Knežji kamen in njegovo potovanje skozi čas. Karantanija ni bila prva slovenska država, in (newspaper) *Delo* 24. 11. 2005, 19.

<sup>63</sup> Cf. Neumann 1994, 92 ff.; Mihelič 2000, 854 ff.

Carantania to their own history and identity only at the end of the 18th century. They saw Carantania as the cradle of the Slovene nation and this led to the Carantanian myth, the strongest nation constituting historical myth among the Slovenes.<sup>64</sup> The paradox of this view is that the Slovenes as a community of identity probably would not exist today, if the Carantanian ethnogenesis had not been terminated by force in the 9th century. Although in another time and another context, its demise facilitated the formation of the Slovene identity in a new ethnogenesis, which heavily drew on Slavic-Carantanian history, and with it associated the beginning of its own history.

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<sup>64</sup> Štih 2005, 122 ff.

## CHAPTER EIGHT

### CARNIOLA, *PATRIA SCLAVORUM*

Carniola occupied a central place among the *Länder* settled by a Slovene-speaking population that were part of the Austro-Hungarian monarchy from the Middle Ages until its disintegration in 1918; at least that is how the Slovenes conceived Carniola from their national rise onwards. Its central place within the Slovene-settled area was reflected by both its geographical location and ethnical/linguistic structure. Accordingly, the Slovene language was also referred to as the “Carniolan language,” the *Land’s* capital Ljubljana gained the importance of the national centre of the Slovenes, and the white-blue-red Carniolan flag was adopted as the Slovene national flag in 1848. Triglav, the highest mountain of Carniola, became one of the principal Slovene national symbols and, finally, Carniola was the only historical *Land* inhabited by Slovenes that was annexed in its entirety to the new Yugoslav community after 1918; the integration into the new state however also meant the abolition of its constitutional order as a *Land* whose roots extended back to the Middle Ages. It is therefore all the more interesting that the beginnings of the period in the history of Carniola, where, based on a sufficient number of historical sources, its development can be traced consistently and continuously, is marked by two charters of Emperor Otto II that date from as late as 973: the first mentions *Carniola /.../ quod vulgo Creina marcha appellatur*, and the second *in regione vulgari vocabulo Chreine*.<sup>1</sup>

We should add, though, that the number of written sources on the entire Early Middle Ages, from the settlement of the Slavs in the Eastern Alps and pre-Alpine area to the end of the Carolingian age, is so scarce for this particular region that we can count them on the fingers of one hand. This extremely unhelpful lack of sources is undoubtedly one of the principal reasons why in Slovene historiography Slovene history is almost exclusively focused on the history of Carantania in this period,<sup>2</sup> while early medieval Carniola was considered a “nebulous, enigmatic

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<sup>1</sup> DD. O. II, nos. 47, 66.

<sup>2</sup> See e.g. Kos M. 1955, 77 ff.; Grafenauer 1978, 347 ff.; Sluga 1979, 111 ff.

formation.”<sup>3</sup> Carantania was unquestionably the most important political community in the Eastern Alps, because this polyethnic, but predominantly Slavic, principality of the Carantanians represented the oldest medieval tribal polity that had formed in the region.<sup>4</sup> The early medieval borders of Carantania however never extended across the Karavanke Mountains into the Upper Sava basin.<sup>5</sup> It was only under Ottonian rule during the second half of the 10th century, at a time we can no longer speak of Carantania, but rather of Carinthia as a duchy of the German Empire,<sup>6</sup> that this geographical barrier between Carinthia and Carniola ceased to be an administrative border. This new condition is first registered by the earlier of the two above-mentioned charters from 973, which states that the donated estate lies in the county of Carniola in the Bavarian (from 976 onwards the Carinthian) duchy.<sup>7</sup> For this reason, the occasional claim in historical and archaeological literature that the inhabitants of the area south of the Karavanke in the Early Middle Ages (i.e. the inhabitants of the “Avar-Frankish Carniola” to use Hauptmann’s terminology)<sup>8</sup> are identical with the Carantanian Slavs, or even with the Carantanians proper, seems to be unsubstantiated.

This article aims at least partly to illuminate the virtually unknown early medieval history of the Carniola in the Upper Sava basin. In the context of the present theme and related to the above-mentioned charters from 973, which are of fundamental significance to the history of Carniola, and before fully concentrating on the Early Middle Ages, I consider it worth drawing attention to the following: the wording *Carniola /.../ quod vulgo Creina marcha appellantur* in the first charter from June 973 perfectly illustrates the double origin of the name. The name *Carniola* is of Romano-Celtic origin and an anonymous geographer from Ravenna refers to it as *patria quae dicitur Carneola, patria Carnech, patria Carnium*.<sup>9</sup> The name *Carniola* has the same root (*car*)

<sup>3</sup> Šašel 1992, 386.

<sup>4</sup> Wolfram 1987, 341; Wolfram 1997, 279 ff.

<sup>5</sup> On the issue of Carantania’s extent, see most recently Štih 2006b, 119 ff.

<sup>6</sup> Klebel 1960, 676 ff.; Grafenauer 1977, 149 ff.

<sup>7</sup> D. O. II, no. 47: *.../quasdam partes nostre proprietatis sitas in ducatu prefati ducis [Heinrici] et in comitatu Poppinis comitis quod Carniola vocatur et quod vulgo Creina marcha appellatur.../donavimus*.

<sup>8</sup> Hauptman 1929, 337–344.

<sup>9</sup> *Ravennatis anonymi Cosmographia et Gvidonis Geographica* IV 21 (221 ff.), IV 22 (223) and IV 37 (293).

as *Carnia* and *Carantania* and derives from the name *Carnia*, the ancient homeland of the Carnians located north of the Friulian plains, and its meaning is simply “Little Carnia.” It is further connected with the toponyms *Carnium*, the later Kranj (Ger. Krainburg), which is (and was) the central settlement of the Upper Sava basin and as such also of Carniola, later to become the seat of the margrave of the Ottonian March of Carniola.<sup>10</sup> The name *Creina* is of Slavic origin and means “land” in the general sense of region (*krajina*), and in particular border region. Carniola indeed was a border region in the 10th century, as is confirmed by the old German word *marcha* (border region) that is used in reference to it (*Chreina marcha*).<sup>11</sup> Following parallel references to both names in the High Middle Ages, the Slavic (Slovene) form of the name – *Kranjska* – later prevailed and was also adopted by the Germans in the Form *die Krain*. This development was greatly influenced by the fact that the centre of Carniola, Kranj, whose name is of Romano-Celtic and not Slavic origin (*Carnium* → \**Karñ'* → Kranj), was called *Creina* in the 10th and 11th centuries;<sup>12</sup> it carried the same name as the region in which it was located. The names of the region and settlement thus overlapped, even though they were of different origins.<sup>13</sup>

The oldest information on Carniola in the Early Middle Ages comes from the *Cosmographia* composed by an anonymous geographer from Ravenna.<sup>14</sup> The work – an extensive description of the then known world – is of a compilatory nature and its author included numerous data from ancient geography literature, especially late Roman itineraries, drew on sources from the Gothic period, and apparently also took account of the conditions that had emerged at the time of the early gentile formations.<sup>15</sup> The *Cosmography* divides the world according to the position of the sun in the hours of the day and night. This astronomical division is complemented by a division into “countries” called *patriae* in the typical manner of Late Antiquity and the Early Middle Ages. These homelands were not merely geographical units, but politically organised territories representing the frameworks for the life of larger communities.<sup>16</sup> When exactly the *Cosmography* was composed

<sup>10</sup> Žontar 1939, 12.

<sup>11</sup> Bezljaj 1982, 79.

<sup>12</sup> Kos M. 1975, 282 ff.

<sup>13</sup> Kos M. 1985, 234 ff.

<sup>14</sup> Ravennatis anonymi *Cosmographia et Gvidonis Geographica*.

<sup>15</sup> Schnetz 1942, 7–87; Schillinger-Häfele 1963, 238 ff.; Bertels 1987, 114 ff.

<sup>16</sup> Katičić 1985, 299.

is equally unknown as is its author's name, but it is assumed to have been written around 700 or somewhat earlier, though some data must have been interpolated at a later stage in the text that has survived only in later copies.<sup>17</sup>

The complex structure of the *Cosmography*, which makes it rather unclear to which time horizon certain statements refer and which sources the author used, is the principal reason why the information it contains was generally taken with strong reservations. Concerning the author's data on Carniola, mentioned in three places in the *Cosmography*, we can say that today, thanks in particular to Jaroslav Šašel, they are firmly embedded in the historical-political framework and therefore invaluable.<sup>18</sup> Carniola is mentioned in the *Cosmography* as *patria quae dicitur Carneola, que et Alpes Iuliana antiquitus dicebatur*, then described as *secundum super scriptum Marcomirum Gothorum phylosophum*.<sup>19</sup> It is also mentioned as *patria Carnech* (or *Carnich patria*) and, finally, as *patria Carnium*.<sup>20</sup> Šašel proved that the description of *Carneola*, surrounded and geographically positioned by *Liburnia Tarsaticensis, Venetia, Istria, Carontani, Panoniae* and *Valeria, quae et media appellatur provincia*, refers to the period of Gothic rule or somewhat before the middle of the sixth century.<sup>21</sup> The anonymous geographer himself states that this *Carneola* was once called *Alpes Iuliana*, providing us with another, older time horizon for this geographical-administrative entity. In the 4th and 5th centuries, the eastern access to Italy between the Julian Alps to the north and the Kvarner Gulf to the south was closed off by a special defence system called *claustra Alpium Iuliarum* in contemporary sources; it was a special military-administrative unit<sup>22</sup> within the larger defence system of *Tractus Italiae circa Alpes*, documented by *Notitia dignitatum*.<sup>23</sup> *Alpes Iuliana* thus by its name as well as geographical position rooted in the tradition of this special military and administrative unit from Late

<sup>17</sup> Wattenbach W., Levison W., 1952, 69 and note 113; Lhotsky 1963, 142.

<sup>18</sup> Šašel 1970–1971, 33–44; Šašel 1975, 69; Šašel 1992, 588 ff., 713 and no. 25, 801, 815 ff.

<sup>19</sup> On the said Marcomir as a source of the *Cosmography*, see Schnetz 1942, 76 ff., especially 79.

<sup>20</sup> *Ravennatis anonymi Cosmographia et Gvidonis Geographica* IV 21 (221 ff.), IV 22 (223) and IV 37 (293).

<sup>21</sup> Šašel 1970–1971, 37 ff.

<sup>22</sup> Šašel 1970–1971, 37, 38.

<sup>23</sup> *Claustra Alpium Iuliarum* 1, 35 no. 23, 43 no. 43.

Antiquity. It is therefore fair to assume that the *patria Carneola* of the first half of the 6th century developed from the earlier *claustra Alpium Iuliarum*.

Additional arguments have been provided by Ute Schillinger-Häfele, who carried out a detailed analysis of the name *Carnech* in the *Cosmography*, and established that the *Cosmography* originally contained only the name *Carnium*, and that a later copyist replaced *Carnium* with *Carnech*. The form *Carneola* is equally thought to have been entered in the manuscript later,<sup>24</sup> through a gloss, an opinion shared by the last publisher of the *Cosmography*, Joseph Schnetz,<sup>25</sup> because the oldest reference to the name *Carniola* indisputably stems from the late 8th century.<sup>26</sup> It is impossible to tell when exactly the name *Carneola* entered the *Cosmography*. Perhaps as early as 800, when according to Herwig Wolfram<sup>27</sup> the name *Carontani* (Carantianians) entered in the same section of the manuscript,<sup>28</sup> but it may have occurred later.<sup>29</sup>

The sum of these findings is highly satisfactory: the *Cosmography*, once considered to be of little use to historians – in particular because, with the exception of *Carnium* (Kranj), all attempts to localise two dozens of the settlements (itinerary stations?) mentioned as being in Carniola, failed<sup>30</sup> – suddenly links, via the *patria Carnium* of the 6th

<sup>24</sup> Schillinger-Häfele 1975, 255–258.

<sup>25</sup> Schnetz 1951, 63 and note 1.

<sup>26</sup> Paulus Diaconus, *Historia Langobardorum* VI 52. The description of the event where *Carniola, patria Sclavorum* is mentioned refers to the time around 738, but Paul the Deacon wrote his *History on Monte Cassino* between 787/88 and 799, meaning that the only thing certain is that the term belongs to the 8th century, but not whether it was known already in the first half of that century. It is quite possible that the unknown copyist or interpolator had knowledge of Paul's *Carniola* and included it in the *Cosmography*. In this sense also Schillinger-Häfele 1975, 256.

<sup>27</sup> Wolfram 1979, 76 and note 10.

<sup>28</sup> *Ravennatis anonymi Cosmographia et Gvidonis Geographica* IV 37 (293): *inter Carontanos et Italiam, inter patriam Carnium et Italiam*.

<sup>29</sup> The oldest preserved copies of the *Ravenna Cosmography* date from the 13th century (*Ravennatis anonymi Cosmographia et Gvidonis Geographica* VI, VII), and this is the *terminus post quem non* of the interpolation of *Carniola* in the text of the *Cosmography*.

<sup>30</sup> This led among others Dillemann 1972, 319–322, to try and localize these places in Pannonia, Dalmatia, or Carnia (Friuli), and Bertels 1987, 120, to the opinion that the *Cosmography* was nothing more than a conglomerate of ancient data, that its report on *Carniola* does not tell us anything about the political or geographical conditions in the Early Middle Ages, and that *patria Carneola* should be taken as a pure construct by the cosmographer.



century, the late antique *Alpes Iuliana* to the *Carniola* of the 8th century on which Paul the Deacon reports.

Describing events that probably occurred around 738, Paul the Deacon reports that Ratchis, the Lombard duke of Cividale del Friuli, invaded *Carniolam Sclavorum patriam* with his army.<sup>31</sup> Two things are important in this report: firstly, *Carniola* is explicitly referred to as a Slavic homeland, although the territory was indisputably under Avar control until the 790s and was located in Avaria, which extended as far as Italy;<sup>32</sup> secondly, Paul the Deacon clearly distinguishes two Slavic communities in the Eastern Alps, which both bordered on Friuli: The first is *Carniola*, *Sclavorum patria*, and the second *Sclavorum gens in /.../ Carantanum*.<sup>33</sup>

Charlemagne's victories over the Lombards and later the Avars opened to the Frankish annalists new horizons towards the Northern Adriatic Sea and the basin of the Middle Danube. The new political situation and the Frankish kingdom's new interests were another reason for adding numerous news items from these areas to their works. Among them, *Annales regni Francorum* occupy a special place. In reference to our discourse, the most important of these records are those connected with the uprising of the prince of Lower Pannonia, Louis (Ljudevit). Describing the military operations against Louis, the Royal Frankish Annals among others report that upon its return from the area of the uprising in 820, the Frankish army once more subjugated the *Carniolenses, qui circa Savum fluvium habitant*,<sup>34</sup> – they had deserted the Frankish camp and joined the rebellious Louis, as had parts of the Carantians – to the authority of Friulian margrave. This contemporary record<sup>35</sup> is the first that tells us the name of the people who lived in the basin of the Upper Sava River. Hardly less important is the fact that the annals clearly distinguish between the *Carantani* and *Carniolenses*, between two ethnical communities.<sup>36</sup>

<sup>31</sup> Paulus Diaconus, *Historia Langobardorum* VI 52.

<sup>32</sup> Paulus Diaconus, *Historia Langobardorum* V 2, 19, 20.

<sup>33</sup> Paulus Diaconus, *Historia Langobardorum* V 22. See Bertels 1987, 107 ff.

<sup>34</sup> *Annales regni Francorum* ad a. 820.

<sup>35</sup> Wattenbach, Levison 1952, 253.

<sup>36</sup> They are even mentioned in one and the same sentence. *Annales regni Francorum* ad a. 820: *Quibus domum reversis Carniolenses, qui circa Savum fluvium habitant et Foroiliensibus pene contigui sunt, Balderico se dederunt; idem et pars Carantanorum, quae ad Liudewiti partes a nobis defecerat, facere curavit.* See Wolfram 1985, 139 and note 235.

As we have mentioned earlier, the *Cosmography* similarly distinguishes between the *Carontani* and *patria, que dicitur Carneola*. If we now accept the thesis that these two terms were added to the *Cosmography* around 800,<sup>37</sup> we then have three sources from the turn of the 9th century which clearly distinguish between two separate Slavic communities in the Eastern Alps, north and south of the Karavanke Mountains. Based on these facts, it is evident that a separate community existed in the Upper Sava basin. And the question then is what was the nature of that community. We can find the answer if we place these scant data in the context of the processes that started to unfold in the area of the former Avar khaganate in the early 9th century, and take into consideration the findings of ethnogenetic researches from the past decades, as well as the typical terminology related to such processes.

The starting-point for our reflections is a finding that has been confirmed by numerous cases: early medieval peoples (*gentes*) were not communities of people of the same extraction, but in principle polyethnic communities, which were not connected into entities by blood relationship, but rather by ideas about a common origin, and by legal norms according to which such a community lived.<sup>38</sup> This is equally true of the Avars. The Avars constituted a polyethnic union par excellence that was always open to newcomers and included Slavs in addition to other peoples from the Pannonian basin.<sup>39</sup> In a wider sense, the name Avars encompassed all the peoples living under the khagan's rule, and the name thus stood for a supra-regional political community that was however quite unstable and subject to constant change.<sup>40</sup> These steppe nomads were after all less territorially bound than the peoples in the West and therefore ethnically more mobile.<sup>41</sup>

In his pioneer work on the formation of (German) peoples, Reinhard Wenskus already noticed that in the steppe environment the process of the origin and collapse of a people evolved much faster than elsewhere.<sup>42</sup> It is a typical feature of what is called the "Scythian type of ethnogenesis," where individual peoples, who dominated the Eurasian steppes, suddenly emerged "out of nothing" and equally suddenly

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<sup>37</sup> See note 27.

<sup>38</sup> Wolfram 1991, 177; Wolfram 1990, 30.

<sup>39</sup> Grafenauer 1950, 23 ff.; Wolfram 1987, 347; Pohl 1988, 94 ff.

<sup>40</sup> Pohl, 1987, 44; Pohl 1988a, 254 ff.

<sup>41</sup> Pohl 1990, 120.

<sup>42</sup> Wenskus 1961, 442.

disappeared. Besides the Huns, who vanished from history very fast after the death of Attila, the Avars from Pannonia are a perfect example of this type of ethnogenesis.<sup>43</sup> The Old Russian proverb “They disappeared like the Avars (*Obri*), who have neither descendants, nor heirs,” recorded in the Russian Primary Chronicle,<sup>44</sup> illustrates this “Scythian” feature of the Avar ethnogenesis. But this does not mean that the people who identified themselves with the Avar name, or were identified as such by others, disappeared. What disappeared was the Avar identity and the name it carried; with the Avars, this name was extremely closely associated with the khagan and his function of military commander.<sup>45</sup> The ending came at the end of the 8th century when the Avar name lost all of its meaning and prestige due to the civil war in which the khagan lost his life, and to the Frankish conquests, Bulgar advances, and Slavic pressures. When the hegemony of the warrior horsemen collapsed, the supra-regional and polyethnic political community that lived under the name of Avars was engulfed by extensive stratification, and the Frankish army intervened in the process on several occasions in the early 9th century, the last time in 811.<sup>46</sup> On the ruins of the Avar khaganate, Slavic and other fractions started to link up into new local and regional political communities, and new peoples started to form. The stratification of the Slavs took place within a surprisingly unitary and extensive Slavic cultural area with common traditions and a common language. This was the framework for the origin of a large number of regional ethnogeneses, which however all preserved a considerable part of the common traditions.<sup>47</sup>

This new state of affairs is clearly reflected in the terminology used by the sources. Instead of the general term *Sclavi* (*Slověne*, *Winedi*), representing a kind of collective gentile name (“gentiles Kollektivum”),<sup>48</sup> individual tribal names of Slavic peoples, newly formed at the fringes

<sup>43</sup> Wolfram 1985, 97 ff.; Wolfram 1991, 311 ff.; Pohl 1988, 4 ff., 21 ff.; Pohl 1990, 120 ff.

<sup>44</sup> *Povest' vremennyh let* 11. The chronicler may have adapted the proverb after the letter which Nicholas Mystikos sent to the Bulgar emperor Simeon in the early 10th century and which has a similar reference to the Avars: “They too collapsed and not a single trace of the people is left” (quoted after Pohl 1988, 323).

<sup>45</sup> We might even say that the khagan managed to monopolise the name for the area under his rule since there is hardly anything known about Avars who did not fall under the khagan's rule and were supposedly in the service of the Byzantine emperor or the “Western forces.” See Pohl 1988a, 257 ff.; Wolfram 1991, 348.

<sup>46</sup> Deer 1967, 725 ff.; Pohl 1988, 320 ff.

<sup>47</sup> Katičić 1990, 125–128.

<sup>48</sup> Wolfram 1979, 89.

of the former khaganate, emerge after a lapse of approximately one generation – it seems to be one of the principles of ethnogenetic development that it takes about one generation for the new name of a people to appear in written sources as an ethnographic novelty.<sup>49</sup> Among these new peoples were the Bohemians,<sup>50</sup> Moravians,<sup>51</sup> Guduscans,<sup>52</sup> Timocians,<sup>53</sup> Abodrites or Praedenecenti,<sup>54</sup> somewhat later the Croats,<sup>55</sup> slightly earlier the Carantanians<sup>56</sup> (whose ethnogenesis equally unfolded in the area of the former Avar rule), and the *Carniolenses* in 820.

The above-mentioned reference in the Royal Frankish Annals is therefore neither accidental nor merely interesting. It is indeed quite revealing, because the new name of the inhabitants of the Slovene Sava basin reflects the extensive process of social and ethnic stratification that unfolded in the former Avar territory. Similarly to the formation of individual peoples elsewhere among many of the Slavs of the former Avaria,<sup>57</sup> a separate people (*gens*) started to form in the Upper Sava valley in the late 8th and early 9th centuries; it was a Slavic people and like

<sup>49</sup> Wolfram 1991, 177.

<sup>50</sup> *Annales regni Francorum ad a. 805: misit exercitum suum cum filio suo Carlo in terram Sclavorum, qui vocantur Beheimi. Qui omnem illorum patriam depopulatus ducem eorum nomine Lechonem occidit /.../*; cf. Wolfram 1985, 140.

<sup>51</sup> *Annales regni Francorum ad a. 822: In quo conventu omnium orientalium Sclavorum, id est Abodritorum, Soraborum, Wilzororum, Beheimorum, Marvanorum, Praedenecentorum, et in Pannonia residentium Abarum legationes cum muneribus ad se directas audivit.*

<sup>52</sup> *Annales regni Francorum ad a. 818: Erant ibi et aliarum nationum legati, Abodritorum videlicet ac Bornae, ducis Guduscanorum, et Timocianorum, qui nuper a Bulgarorum societate disciverant et ad nostros fines se contulerant, simul et Liudewiti, ducis Pannoniae inferioris, qui res novas molians /.../.*

<sup>53</sup> See note 52.

<sup>54</sup> See notes 51, 52 and *Annales regni Francorum ad a. 824: Caetereum legatos Abodritorum, qui vulgo Praedenecenti vocantur et contermini Bulgaris Daciam Danubio adiacentem incolunt, qui et ipsi adventare nuntiabantur, ilico venire permisit.*

<sup>55</sup> The first irrefutable mention of the name of Croats is from the 880s, to which epigraphic monuments, containing the Croatian tribal name (*DVX CRVATORUM*) and preserved from the time of prince Branimir, are dated; another very likely reference is from the time of Trpimir, the mid 9th century, and comes from a copy of an at least partly forged deed of gift issued by the prince (*Trpimirus dux Chroatorum*): *Documenta historiae chroaticae periodum antiquam illustrantia*, no. 3; Klaić 1971, 257; Zekan 1989, 10; Matijević-Sokol, Sokol 1999.

<sup>56</sup> Although the name of the Carantanians is traditionally linked to Samo's period and then to the middle of the 7th century, the first unquestionable reference is from the last quarter of the 8th century, and found in the Bavarian annals (772), later in Paul the Deacon. For a detailed list of all references, see Ferluga, Hellmann, Kämpfer, Ludat, Zernack 1982, 306–319. On these references, see Bertels 1987, 87 ff.

<sup>57</sup> For a general view, see Katičić 1990, 126 and Budak 1990, 129–135.

the Carantanians it derived its name from the region it inhabited.<sup>58</sup> By adopting a new name, connected with the area of their ethnogenesis, they also associated themselves with the traditions of the area, traditions that extended back to Late Antiquity, as we showed above. An appropriate conclusion, in my opinion, would be that *Carniola, patria Sclavorum*, where the *Carniolenses* lived, had a tribal constitution. And because the terms *patria* and *gens* imply that there was a *dux* too,<sup>59</sup> the picture we have of this tribal principality of the Carniolans would be well completed by a *dux gentis*, for instance a certain *Wonomyrus Sclavus* from the Royal Frankish Annals, who participated in the Frankish offensive from Friuli into the area between the Tisa and Danube in 795.<sup>60</sup> Historians place him in the basin of the Upper Sava<sup>61</sup> or in Lower Pannonia, where prince Louis later ruled,<sup>62</sup> but it is equally possible that neither location is correct.<sup>63</sup> Regardless of the homeland and position of Vojnomir, the principality of the Carniolans, which was probably smaller in size than Carantania,<sup>64</sup> seems to have been a second Slavic tribal principality in the Eastern Alps, in addition to Carantania.

Being Friuli's immediate eastern neighbour, Carniola came under the rule of the Frankish king in the course of Charlemagne's Avar wars, perhaps already in 791, but certainly in 795, or at the latest in 796.<sup>65</sup> Drawing parallels to the immediate neighbourhood, where Slavic client principalities under Frankish rule retained their princes,<sup>66</sup> we

<sup>58</sup> Wolfram 1979, 80 ff.

<sup>59</sup> Wolfram 1979, 81; Katičić 1985, 300. See note 50 above, the report in the *Annales regni Francorum* on the Frankish offensive against the Bohemians in 805, where the following related terms are used: *terra Sclavorum* (*Sclavi* = collective tribal name), *qui vocantur Beheimi* (= individual tribal name), *patria illorum* and *dux eorum* (= *dux gentis*), or e.g. the report from the same source (*Annales regni Francorum* ad a. 796) how the Avar tudun *ad regem venit, se cum populo suo et patria regi dedit*.

<sup>60</sup> *Annales regni Francorum* ad a. 796.

<sup>61</sup> Grafenauer, 1952a, 538; Kos M. 1955, 98; Vilfan 1968, 45; Klaić, *Povijest* 1971, 163; Wolfram 1979, 71; Katičić 1985, 301 and note 7; Bratož 1990, 49; Krahwinkler 1992, 150.

<sup>62</sup> Šišić 1925, 303 and note 11.

<sup>63</sup> Pohl 1988, 319 thinks it quite plausible that Vojnomir was not a Slavic prince, but a Slav who made a career with the Franks. Already Kos M., 1936, 21 refutes the opinion that Vojnomir may have been a Carantanian prince.

<sup>64</sup> As illustrated by the example of the "Sclavinias" in the hinterland of Thessaloniki, mentioned in *Miracula s. Demetrii*, Slavic tribal polities may have extended over areas of at the most a couple of thousand square kilometres. See Hauptmann 1932, 201 ff.

<sup>65</sup> For the course of the war, see Pohl 1988, 316 ff.

<sup>66</sup> The Carantanians (Wolfram 1979, 81 ff., 126), the Slavs between the Drava and Sava under Luis (Ljudevit), and the Guduscans under Borna (Katičić 1985, 300 ff.; Katičić, 1990, 66).

may assume that Carniola too preserved its tribal constitution when it was incorporated in the March of Friuli. The march was founded around 800 and extended across present-day Slovene territory into Pannonia.<sup>67</sup>

A decisive change to this state of affairs was then brought about by the administrative reform of Louis the Pious in the southeast of the Carolingian empire in 828. At that time the vast March of Friuli was divided among four counts.<sup>68</sup> This reform greatly reduced the territory under the sway of the Friulian margrave and, more importantly, it radically changed the structure of the Frankish system of government at the empire's borders.

In the first phase of Frankish rule, the administration and the related defence of the eastern and southeastern borders was conceived in a way that girded the kingdom's core territory with a range of mainly Slavic client principalities, which under Frankish rule preserved a relatively great internal autonomy, while simultaneously constituting the first line of defence of the Carolingian state.<sup>69</sup> This two-level structure of Frankish hegemony in the empire's southeast is clearly reflected in the formulation of the *Ordinatio imperii* from 817, by which Bavaria as a territorial unit, as well as a range of peoples (*gentes*) at its eastern fringes, fell to Louis the German.<sup>70</sup>

The uprising of Louis, the prince of Lower Pannonia (819–823), who was rapidly joined by a number of Slavic *gentes* that had recognised Frankish overlordship, laid bare the weaknesses of this concept, as the Slavic client principalities proved to be unreliable allies at the state border. The consequence was a reform of the Frankish organisation at the border in the 820s. Administration by counts began to replace gentile rule. This entailed that a Frankish *comes* was given a mandate by the Frankish ruler and ruled in his name, thus replacing the tribal *dux* and

<sup>67</sup> Krahwinkler 1992, 152 ff.

<sup>68</sup> *Annales regni Francorum* ad a. 828. A detailed overview of the issue is given in Krahwinkler, 1992, 192 ff.

<sup>69</sup> Hellmann 1967, 708 ff.; Klebel 1971, 1 ff.; Kos 1985, 182 ff.

<sup>70</sup> *Ordinatio imperii: Item Hludowicus volumus ut habeat Baioariam et Carentanos et Behaimos et Avaros atque Sclavos qui ab orientali parte Baioariae sunt*. See Wolfram 1985, 134 ff. Considering the entire eastern border, this structure clearly shows in the report of the *Annales regni Francorum* for 822, when the discussions of the diet in Frankfurt on the safety of the eastern parts of the empire were joined, in addition to Frankish nobles, by emissaries from *omnium orientalium Sclavorum, id est Abodritorum, Soraborum, Wilzorum, Beheimorum, Marvanorum, Praedenecentorum, et in Pannonia residentium Abarum*.

the related tribal constitution. Two counties were thus created on the territory of the Avars' tributary khaganate between the Raab and Danube,<sup>71</sup> where with the blessing of Charlemagne the khagan had *summam totius regni iuxta priscum eorum ritum*.<sup>72</sup> In Carantania, the last native prince Etgar was replaced by the Bavarian count Helmwin in 828.<sup>73</sup> Even the Slavs who lived in Pannonia and had come under Bulgar rule did not escape this eradication of indigenous princes: when the Bulgars occupied Pannonia (south and north of the Drava) in 827, they replaced the Slavic *duces* with their own *rectores*,<sup>74</sup> and when the Franks regained this territory they confirmed the process started by the Bulgars by making the Slav prince Pribina count of Pannonia (north of the Drava).<sup>75</sup> In the territory of Carniola in the Upper Sava basin, a Frankish count, Salacho (a Bavarian by extraction), is first mentioned in the 830s.<sup>76</sup> Seen from the viewpoint of the administrative reform or in its context, the first reference to a Frankish count in the Upper Sava basin in the 830s can also be understood as confirmation of the thesis that *Carniola* was a tribal principality, and that Salacho was the successor of the tribal prince of the Carniolans. This means that the 828 reform implemented by Louis the Pious, following the division of the vast March of Friuli among four counts, not only incorporated the territory of the Carniolans into the Bavarian Eastern prefecture, entailing that administratively it no longer gravitated towards Italy, but also abolished the Carniolan tribal constitution.<sup>77</sup> The consequences of the reform were fatal for the Carniolans and their community: the loss of their indigenous prince and the related political autonomy sealed the fate of the ethnic identity of the Carniolans that was still in its embryonic stage.

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<sup>71</sup> The first reference to a county in Upper Pannonia and a second one south of the first, covering the area around Szombathely, dates from 844 (?): D. LD, no. 38: *ubi Radpoti et Rihhari comitatus confiniunt*. See Mitterauer 1963, 85 ff., 91 ff., 117 ff.

<sup>72</sup> *Annales regni Francorum* ad a. 805.

<sup>73</sup> *Conversio Bagoariorum et Carantanorum*, c. 10; Wolfram 1979, 126; Wolfram 1981, 313 ff.

<sup>74</sup> *Annales regni Francorum* ad a. 827.

<sup>75</sup> Štih 1994, 209 ff.

<sup>76</sup> *Conversio Bagoariorum et Carantanorum*, c. 10: *Et praedictus Priwina substitit et cum suis pertransivit fluvium Sava ibique susceptus a Salachone comite pacificatus est cum Rathodo*. See Kos M. 1936, 76; Mitterauer 1963, 138 ff.; Wolfram 1979, 129; Štih 1994, 209, 210 and notes 3, 4.

<sup>77</sup> On the question of into which counties the March of Friuli was divided, see Krahwinkler 1992, 194 and notes 417, 418.

The Carolingian county that was established in this way in the Upper Sava basin was thus not a kind of “novelty,” but was connected with the traditions of the tribal principality of the Carniolans, whose development was violently terminated at its very beginnings. And this makes it perfectly clear that the Ottonian March of Carniola, established in the second half of the 10th century, after the Magyar incursions ended, and first mentioned in the two charters from 973 referred to at the beginning of this article, by no means emerged “out of nothing,” but that it had a tradition that via the Carolingian and Slavic periods extended back as far as Late Antiquity.



## CHAPTER NINE

### STRUCTURES OF THE SLOVENE TERRITORY IN THE EARLY MIDDLE AGES

#### *Introduction*

The present-day Slovene territory is wedged between the Karavanke mountain range and the Kolpa River, extends eastwards into the Pannonian plain, and borders on Friuli and the Bay of Trieste in the west. Three circumstances left distinct marks on this territory between the 6th and the 9th centuries of the Early Middle Ages. The Slavic settlement of the late 6th century, related to Avar lordship, caused the Slovene territory to be separated from the former Roman ecumene, the Western world, and to a great extent from the traditions of Antiquity as well, for two centuries. It was only after the fall of the Avar khaganate and the following expansion of Frankish lordship over the Western Balkans and the Pannonian area that the territory was once more annexed to the West at the end of the 8th century, causing similarly far-reaching changes to its structures as had occurred two centuries earlier. The third circumstance determining the history of this territory not only in the Early Middle Ages, but already in Antiquity, was the vicinity of Italy, because it dictated its function. From the time of Emperor Augustus, the principal road artery connecting Italy with the east and vice versa ran across this territory, and in this respect the Slovene territory was typically transitional in nature.<sup>1</sup> It was the springboard for incursions into Italy, and whoever ruled the Slovene territory had the key that opened the door to Italy.<sup>2</sup>

The significance of the Slovene territory was dictated by geography. Here, the Pannonian Plain comes closest to the Mediterranean and here are the shortest and easiest passages across the entire swathe of mountains extending from Marseille in France to Thessaloniki in Greece, separating Mediterranean Europe from continental Europe. The highest Karst passages near Postojna – called the “Postojna Gate,”

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<sup>1</sup> Šašel 1975a, 74 ff.; Bosio 1997, 201 ff.

<sup>2</sup> Štih 1999b, 103 ff.

“Adriatic Gate” or “Illyrian-Italic Gate” – are just 600 metres above sea-level and continue towards Italy through the almost 40 kilometres long Vipava Valley that cuts into the mountainous interior from the Friulian plain and the Soča (Isonzo) River.<sup>3</sup>

From around the second half of the 6th century, the eastern border of Italy chiefly ran along the watershed between the Sava and Soča (Isonzo) rivers and through the vast forests that formed a redoubtable barrier between the Ljubljana Basin and the Karst; in the Early Middle Ages Italy thus included – of the present-day Slovene territory – the Soča (Isonzo) basin, the Vipava Valley, the Karst, and the coastal province.<sup>4</sup> The early medieval border of Italy at Hrušica (Ad Pirum) in the Trnovo Forest, to which in Antiquity Emona’s *ager* extended to the west,<sup>5</sup> was so stable and solid that as late as 1253 *nemus quod vulgariter Pirpovmerwalt nuncupatur* constituted the border of Spanheim Carniola.<sup>6</sup> Carniola started to expand across this border only in the 14th century, when seigneuries in the Karst began to join it, while Vipava became part of Carniola much later – in 1528.<sup>7</sup>

This border divided the Slovene area in the Early Middle Ages into two structurally completely different parts, and below we will pay attention to the part located outside Italy. We will therefore merely outline some basic facts about the western part of the Slovene territory that belonged to Italy.

Politically this western part of present-day Slovenia was divided between Byzantine Istria and Lombardian Venetia from the Lombard settlement in Italy in 568 onward, but the coastal part of Venetia belonged to Byzantium.<sup>8</sup> If we ignore the short Lombard occupation of Istria in the third quarter of the 8th century,<sup>9</sup> a uniform eastern Italian border was re-established only two centuries later with the beginning of Frankish lordship over the territory (Friuli 774/776, Istria 788).<sup>10</sup> The area’s division between several states in the early 7th century was followed by an ecclesiastical division and the disintegration of the

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<sup>3</sup> Melik A. 1960, 5 ff.; Melik A. 1963, 7 ff.; Hauptmann 1929, 315 ff.; Grafenauer 1978a, 17 ff., especially 29 ff.

<sup>4</sup> Štih 1999b 104, 107 ff.

<sup>5</sup> Šašel 1992, 574.

<sup>6</sup> MC 4/1, no. 2541.

<sup>7</sup> Hauptmann 1929, 451.

<sup>8</sup> Ferluga 1987, 165; Ferluga 1992, 175 ff.; Margetić 1992, 157 ff.

<sup>9</sup> That the Lombards occupied Istria is not documented beyond dispute. See Margetić 1994, 5 ff.

<sup>10</sup> Krahwinkler 1992, 119 ff.; Margetić 1994, 7 ff.

patriarchate of Aquileia into an Aquileian and a Grado patriarchate (607).<sup>11</sup> By the end of the 8th century, Slavs settling in the Karst, the Soča (Isonzo) and Vipava valleys, and the hilly land at the eastern edge of the Friulian plain, led to the formation of the Slavic-Romanic border which has remained roughly unchanged to the present day.<sup>12</sup> These Slavs were subjected to the local Byzantine or Lombard authorities and the heritage of Antiquity was preserved longer in the western parts of the present-day Slovene territory than in the interior.<sup>13</sup> The coastal towns of Istria occupy a special place in this context as they preserved their Roman(ized) character. There are probably few places around Europe where continuity and a sharp break were so close as in the hinterland of the Istrian towns, where these opposites were evident over very short distances.<sup>14</sup>

In the river basin of the Sava east of the Karst's passages another world began and it could hardly have differed more from that in Italy. The border separated not only two political organisms and two political spheres, but also two different ways of life, two different economies, and two different views of the gods. Yet at the same time this was not a border one would describe – using the political language of Europe from the second half of the 20th century – with terms like “Iron Curtain” or even “Berlin Wall.” It was at most a “green border” across which envoys of all sorts travelled, as well as craftsmen and not to forget Avar and Slavic military contingents, rushing to the assistance of their Lombard allies in Friuli and deeper into Italy. People, and with them information travelled in both directions and it was common knowledge who was who among the neighbours and where to find them, as is illustrated by the fates of eminent Lombard emigrants (Perctarit, Aio), who were given political asylum by the Avars.<sup>15</sup>

### *The Structure of the Names*

Several terms (names) were used in the West to refer to the area that started at the eastern border of Italy. Pannonia was a name from

<sup>11</sup> Lenel 1911, 3 ff.; Bratož 1990, 33; Krahwinkler 1992, 71 ff.

<sup>12</sup> Kos M. 1930, 336 ff.; Grafenauer 1987, 5 ff.; Štih 2005, 21 ff.

<sup>13</sup> Cf. Grafenauer 1969a, 55 ff.

<sup>14</sup> Mayer 1903, 211 ff.; Vilfan 1968, 50 ff. Vilfan 1975, 19 ff.

<sup>15</sup> Štih 1999b, 113 ff.

Antiquity and according to Paul the Deacon it extended in the west to the border of Italy – to the famous Royal Mountain (*Mons regis*) that overlooked the Friulian plain.<sup>16</sup> The same belief is found in the Royal Frankish Annals: the army that marched against the Avars in 795, and the army sent out to quash the uprising of Louis (Ljudevit Posavski), prince of Lower Pannonia in 819, both marched from Italy directly into Pannonia.<sup>17</sup> This notion, which is among others also found in the *narratio* of a charter from Verona from 837,<sup>18</sup> reflects – as Herwig Wolfram recently pointed out – the world of ideas of Isidore of Seville in whose *Etymologies* Pannonia directly bordered on Italy.<sup>19</sup> The name Pannonia obtained new contents besides its classical provincial meaning in the Early Middle Ages. It turned into a name of supra-regional significance and could include local names like, for instance, Carniola in the Upper Sava basin. It could also refer to the land of the Avars and the ancient provincial name may have included the area of the former province of Noricum ripense that was under Avar dominion east of the Enns, as well as the river basin between the Danube and Tisa, located beyond the borders of the Roman Empire.<sup>20</sup>

The part of the present-day Slovene territory that started east of Italy was included in another supra-regional name in the Early Middle Ages: *Avaria*. The term referred to the Avar political sphere under the dominion of the Avar khagan. The name first appears relatively late, just before the mid 8th century in Italy, where the Lombards used it for the land at the eastern border of their kingdom.<sup>21</sup> It included the Slovene part of the Sava River basin because it was *pars Avarie*: this was indeed the reference to the area, a day's march from the border of Italy, where the Frankish army occupied an Avar military post in 791.<sup>22</sup>

<sup>16</sup> Paulus Diaconus, *Historia Langobardorum* II 8, 9; Wolfram 1995, 68 ff.

<sup>17</sup> *Annales regni Francorum* ad a. 796, 819, 820, 822.

<sup>18</sup> *Hunni, qui inter Italiam, et Danubium in Pannoniis habitabant*. Quoted after Krahwinkler 1992, 147 and note 163.

<sup>19</sup> Wolfram 1995, 69.

<sup>20</sup> Wolfram 1995a, 211; Wolfram 1995, 70 and note 13.

<sup>21</sup> *Leges Ratchis regis* 9. V. With this law from 746 the Lombard King Ratchis wanted to establish control over the sending of envoys abroad. The itemized list of Lombard neighbours includes *Avaria*. See Tangl 1958, 1 ff., especially 28.

<sup>22</sup> *Epistolae variorum Carolo Magno regnante scriptae*, no. 20. The same term is used in a charter of Charlemagne from 799 issued to the Lombard Aio (D. Kar. I., no. 187), while a charter of Charlemagne's son Louis the Pious from 816, confirming his father's charter from 799, refers to *regnum Avarorum* and *Avaria* (Unedirte Diplome aus Aquileja, no. 3). On Aio and his turbulent life, see Krahwinkler 1992, 137 ff.

The Slovene Sava basin was otherwise referred to in the Early Middle Ages with the local name of *Carniola*.<sup>23</sup> It derived from the name *Carnia* and meant “small Carnia.” In Antiquity, Carnia was the ancient home of the Carni, located on the other side of the continental watershed, in the mountainous land north of the Friulian plain.<sup>24</sup> The name thus derived from Friulian geographical terminology and it is therefore understandable that it was first mentioned by writers from Italy, the anonymous geographer from Ravenna and the Friulian Lombard Paul the Deacon, but it was also known and used by the inhabitants of the area of the Upper Sava basin; this is indeed the only explanation for the ethnic name of the Carniolans (*Carniolenses*), derived from the territorial name that is mentioned in the Royal Frankish Annals in 820.<sup>25</sup>

Another option that cannot be excluded is that besides Carniola a domestic name for the Upper Sava basin was already in use in the 9th century: the Slavic *Kraj(i)na*, from which the Slovene form *Kranjska* and the German name (*die*) *Krain* later developed.<sup>26</sup> The name *Kraj(i)na* is first mentioned in two charters of Emperor Otto II in 973, granting the bishopric of Freising an extensive property complex (the Škofja Loka seignury) in the county of Count Poppo *quod Carniola vocatur et quod vulgo Creina marcha appellatur* (in the second charter: *in regione vulgari vocabulo Chreine*).<sup>27</sup> The popular name (*vulgari vocabulo*), established in the last quarter of the 10th century, indicates that it is certainly older than its first mention.<sup>28</sup> How much older is impossible to say. The meaning of the term *Krajina* may be a clue: like the German *marcha* it refers to a land at the border, a borderland<sup>29</sup> (and the phrase *Creina marcha* is therefore a tautology).<sup>30</sup> It is generally known that Carniola was a march of the Duchy of Bavaria (Carinthia from 976) in the second half of the 10th century bordering on the Magyars and Croats; but it had this same function already in the 9th century. From 828, when the great March of Friuli was dissolved and the borders of Italy returned to the Karst's passages, the Slovene Sava basin

<sup>23</sup> Ravennatis anonymi *Cosmographia et Gvidonis Geographica* IV 21 (221 ff.); Paulus Diaconus, *Historia Langobardorum* VI 52. See Štih 1996b, 14 ff.

<sup>24</sup> Wolfram 1979, 76; Wolfram 1995, 82.

<sup>25</sup> *Annales regni Francorum* ad a. 820. Cf. Štih 1996b, 16 ff.

<sup>26</sup> Hauptmann 1929, 315 ff.; Kos M. 1985, 237 ff.

<sup>27</sup> DD. O. II., nos. 47, 66. On these two charters, see Štih 1997a, 301 ff.

<sup>28</sup> Cf. Lhotsky 1970, 224.

<sup>29</sup> Bezlaj 1982, 79 (s. v. *kraj*, *Krajina*).

<sup>30</sup> See Wolfram 1995, 83.

was incorporated in Bavaria's Eastern Prefecture,<sup>31</sup> where Carniola became a march bordering on Friuli and Italy. These may be the origin of the Slovene name *Kranjska*. In this context we must draw attention to the fact that in reference to Baldric's subjugation of the Carniolans, who had joined the uprising of Duke Louis of Lower Pannonia in 820, they were said to be neighbours of the Friulians,<sup>32</sup> and to an account from 865 that Carloman was given Bavaria and *marchas contra Sclavos et Langobardos* by his father Louis the German;<sup>33</sup> one of these marches may well have been Carniola-*Kraj(i)na*.

Another name, which probably covered at least part of the present-day northeastern territory of Slovenia in the Early Middle Ages, was *Carantania*. The extent of early medieval Carantania was much bigger than that of later Carinthia and it is commonly accepted to have included parts of the present Austrian *Länder* of Carinthia, (East) Tyrol, Salzburg, Upper and Lower Austria, and Styria.<sup>34</sup> Two arguments suggest where the eastern border of Carantania may have run: the references to elevations in the watershed between the Mura and Raab rivers with the Slavic name (attested from the High Middle Ages onward) *Mons Predel*,<sup>35</sup> meaning border or divide,<sup>36</sup> and the densely distributed references to *župani* extending up to this divide in the High and Late Middle Ages, while eastward (to the Lafnitz River or the Styrian-Hungarian border) *Richters* prevail, attesting to later German colonization.<sup>37</sup> Since the western section of Carantania's southern border followed the imposing natural borders of the Carnic Alps, Karavanke, and Kamnik Alps,<sup>38</sup> its eastern section had to connect to Carantania's eastern border right across part of present-day Slovene Styria.

<sup>31</sup> Hauptmann 1920, 210 ff.; Wolfram 1995a, 220 ff.

<sup>32</sup> *Annales regni Francorum* ad a. 820.

<sup>33</sup> *Regesta Imperii* 1/2, no. 1459a.

<sup>34</sup> Wolfram 1979, 77 ff.; Wolfram 1995, 73 ff., especially 77. For a lesser extent, see Kahl 1998, 218 ff.

<sup>35</sup> Posch 1963, 126 ff.

<sup>36</sup> Bezljaj 1982, 1995, 109 (s. v. predel).

<sup>37</sup> Walter 1969, 267 ff. and especially the map in appendix I; Wolfram 1979, 79 ff.

<sup>38</sup> The border is attested by the anonymous Ravenna geographer (*Ravennatis anonymi Cosmographia et Gvidonis Geographica* IV 37), and indirectly by Paul the Deacon (*Paulus Diaconus, Historia Langobardorum* V 22; VI 52), who differentiates between Carniola in the Upper Sava basin and Carantania in the Carinthian Drava basin. The Royal Frankish Annals (*Annales regni Francorum* ad a. 820) similarly differentiate between the Carniolans in the Upper Sava basin and the Carantanians at the Drava. For the Karavanke cf. Kos M. 1928, 115 ff.

Herwig Wolfram, later joined by Heinz Dopsch, recently argued that Carantania extended in the south down to the Sava or across it to the lower course of the Krka River,<sup>39</sup> because according to a charter of King Arnulf, Brestanica (Reichenburg) and the Krško polje (Gurkfeld) were located *in orientalibus partibus Charanta nominatis*, or in the Wolfram-Dopsch translation: “in the part of the (Bavarian) Eastern March that is called Carantania.”<sup>40</sup> This would mean that Carantania included in the present-day Slovene territory the former *ager* of ancient Celeia in the Savinja River basin, while Ptuj on the Drava belonged the area of lordship of Pribina and Kocel in Pannonia, and the Upper Sava basin belonged to Carniola. That Carantania expanded so far south is presumably confirmed by a famous charter of Charlemagne from 811;<sup>41</sup> arbitrating in a dispute between the patriarch of Aquileia and the archbishop of Salzburg over the ecclesiastical affiliation of Carantania, he decided that the ecclesiastical border was to be the Drava River “as it flows through the middle of the province (Carantania),” convinced that “the fairest solution was to divide between them the province they both claimed for themselves.” According to the wording of the charter, Carantania was divided into two equal halves and if this was actually true, then a much greater part of Carantania must have been located south of the Drava than we used to imagine.

This interpretation however raises two problems. Arnulf’s original charter from 895 has not been preserved, but only a copy in the cartulary of the bishopric of Gurk from the last quarter of the 12th century, where it is in the company of a range of sovereign charters forged in Gurk between 1172 and 1184.<sup>42</sup> If Arnulf’s charter is dubious already because of this suspect company, Wolfram also convincingly proved

<sup>39</sup> Wolfram 1995, 76, 100 ff.; Wolfram 1995a, 258; Dopsch 1995, 127 ff.

<sup>40</sup> D. Arn., no. 138: *fideli nostro nomine Waltuni vocitatus quasdam res proprietatis nostre, quas antea in beneficium habuit in loco, qui vocatur Thrusental, ac duobus castris in eo edificatis et nemus in monte Diehshe et in marchia iuxta Souwam tres regales mansos, quod Richenburch dicitur, et aliud predium ultra fluvium Sowam Gurcheuelt nuncupato et in alio loco quicquid Ottelin habuit in beneficium in loco Undrina in comitatu Livpoldi in orientalibus partibus Charanta nominatis, in proprietatem concessimus*. On Waltuni, who was an ancestor of St Hemma of Gurk, see Hauptmann 1935, 232 ff.; Hauptmann 1936, 221 ff.; Dopsch 1971, 110 ff.

<sup>41</sup> D. Kar. I., no. 211: *predictam provinciam Karantanam ita inter se dividere iussimus, ut Dravus fluvius, qui per mediam illam provinciam currit, terminus ambarum dyoceson esset [...] neque enim iustior nobis super huiusmodi disceptatione sententia proferenda videbatur, quam ut divisio inter eos illius provincie deberet fieri, cuius ambo se auctoritate habere asserebant*.

<sup>42</sup> MC 1, p. XIII ff., p. 11 ff.; See also Fichtenau 1971, 186 ff.

that the *marchia iuxta Souwam*, mentioned in the charter, where Reichenburg and the Krško polje were supposedly located, was a later interpolation and cannot have been entered before the 11th century.<sup>43</sup> In my opinion, is it still arguable that the entire passage (*et in marchia /.../ nuncupato*) referring to a grant to Waltuni on the Sava – and not only the name of the march – may be a later interpolation as already Ernst Klebel thought.<sup>44</sup> The problem with Charlemagne's charter from 811 is not of a textual critical or diplomatic nature but bears on its interpretation, because it does not satisfactorily solve the problem the text presents to us. For even if we accept Wolfram's and Dopsch's interpretation, adding Slovene Styria west of the Maribor-Sotla line to Carantania, we are still left with only a quarter of Carantania located south of the Drava, not half,<sup>45</sup> as stated in the 811 charter, and the patriarch of Aquileia then got the worst of it in the division. If we would want at least slightly to balance the scales, the patriarch's share of Carantania should be expanded with the Upper Sava basin, but that was part of Carniola, not Carantania.

Moreover, Reinhard Härtel pointed out that Charlemagne's charter must not necessarily be interpreted from the side of the object (divided Carantania), but can also be interpreted from the side of the subject (the charter's issuer). Because both parties, Aquileia and Salzburg, had arguments that supported them and Charlemagne did not want to judge their merits, as is explicitly stated in the charter, he faced the task of finding a solution that would confirm him as a fair judge and without either party to the dispute feeling defeated. Explicitly acknowledging that both parties to the dispute had equal rights, Charlemagne had to find a Solomon-like solution to divide the dispute's object into two equal shares. From the very beginning – and especially given the

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<sup>43</sup> Wolfram 1995, 100 ff.

<sup>44</sup> See Die bayerischen Luitpoldinger 893–989, 6. In his extensive commentary on the charter, Kurt Reindl points out that besides Arnulf's charter there is no other source confirming that the lower Styrian Sava basin was part of Carantania. He further argues that the phrase *in orientalibus partibus Charanta nominatis* may well refer exclusively to the last (Ingering) of the three complexes of estates listed in the charter; and that the reference to an estate on the Sava between the complexes in the Trixen Valley (including the forest on Diex) and the upper Mura wrecks the geographical order, suggesting that we are dealing with an emendation of the original text. Furthermore, a charter of Lothar III from 1130, confirming the properties of the bishopric of Gurk (MC 1, no. 58) among others refers to the properties in Trixen and Ingering, but not to that on the Sava, which never belonged to the church of Gurk. On the issues related to Arnulf's charter, cf. also Kahl 1998, 224 ff.

<sup>45</sup> See the maps of both authors in: Dopsch 1995, 133; Wolfram 1995a, 258.



contemporary preference for wet borders – the starting point for the division of such a large province could only be the Drava as it was the only clear dividing line. The Drava thus had to be proclaimed the central dividing line, regardless whether the parties really thought so. The statement that the Drava flowed through the middle of Carantania may thus have derived from the need to present the emperor's decision as fair. Härtel rightly pointed out that as long as this interpretation remains an option, the passage *per mediam illam provinciam* cannot be used in discussing Carantania's southern border.<sup>46</sup>

But since Wolfram allows the option that Borut's Carantania already extended to the Sava at Krško,<sup>47</sup> we must point out that this view is not compatible with Avar lordship over present-day Slovene territory lasting until the late 8th century, documented beyond dispute by several sources, and extending to Italy in the west.<sup>48</sup> If Carantania included the former *ager* of Celeia before the late 8th century and extended to the Sava, it would have cut both principal roads (Poetovio–Celeia–Emona–Aquileia; Siscia–Neviodunum–Emona–Aquileia) connecting Italy with the Pannonian area. These two most important roads for incursions into Italy were used not only by Germanic groups in Late Antiquity, but later also by the Avars, and in their footsteps the Magyars in the 10th century.<sup>49</sup> The only strategic significance the otherwise marginal Slovene area had for the Avars and their way of life<sup>50</sup> were precisely the roads to Italy, and Avar dominion over the Slovene area must be largely seen as their control over these roads.<sup>51</sup> The question of how big a part of present-day northeastern Slovenia was covered by the name Carantania in the Early Middle Ages therefore remains more or less unanswered, but it does not seem likely that its border was at the Sava in Lower Styria.

### *Lordship Structures*

The western part of the present Slovene territory that was part of Italy was under Byzantine or Lombard lordship – depending on whether it

<sup>46</sup> Härtel 1998, 337 and note 44.

<sup>47</sup> Wolfram 1995, 77.

<sup>48</sup> See note 57.

<sup>49</sup> Cf. Štih 1983, 188 ff.; Štih 1999b, 106; Giesler 1997, 55 ff.

<sup>50</sup> For the settlement area of the Avars, see Csallány 1956; Pohl 1988, map no. 4 on p. 510–511; Stadler 1996, maps on p. 458 and 459.

<sup>51</sup> Cf. Grafenauer 1952, 433; Krahwinkler 1992, 138.

belonged to Istria or Friuli. The expanse of early medieval Istria toward the northeast (the Karst) was much bigger than at the end of the Middle Ages or even later.<sup>52</sup> Its border presumably ran from the Timavo River in the northernmost part of the Gulf of Trieste to Nanos, Javorniki and Snežnik, dropped to Kastav above Rijeka, climbed Učka, and regained the sea where the Raša flows into the Bay of Plomin.<sup>53</sup> The Vipava and Soča (Isonzo) valleys belonged to Friuli and were ruled by the local Lombard duke.<sup>54</sup> When the Franks conquered Lombard Italy in 774 (or 776 when the uprising of the Friulian Duke Hrodgaud was quelled) and Byzantine Istria in 788, the part of the present Slovene territory that was located in Italy came under Frankish lordship, which expanded to the rest of the Slovene territory after the collapse of the Avar khaganate in 795–796.

Earlier, the area east of Italy had been a part of the Avar lordship area from the late 6th century. In spite of attempts to prove that the Slavs from the Sava basin were independent from the Avars,<sup>55</sup> Avar lordship over the Upper Sava basin is undisputed.<sup>56</sup> In particular the accounts of Paul the Deacon, as well as other sources referring to a whole range of

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<sup>52</sup> In the Middle Ages, the Karst was part of Istria and the diocese of Trieste, which had an established continuity with Antiquity. Inferences about the extent of Istria are based on the assumption that the northeastern border of the diocese of Trieste corresponded with the political border of the peninsula, and that its extent in the High Middle Ages did not differ from its early medieval area. For the Karst as part of Istria, see Hauptmann 1929, 354 ff. For the extent of the diocese of Trieste in the Karst, see Höfler 2001, 163 ff. (a list of parishes and filial churches and their first mentions); Colombo 2009, 159 and fig. 10. On the continuity of the bishopric of Trieste, see Bratož 1986, 382 (for Late Antiquity); Bratož 1994, 53 ff. (for the Early Middle Ages).

<sup>53</sup> Kos M. 1950, 59; Kos M. 1985, 164; Degrassi 1954, 84 ff.; Ferluga 1992, 178. For a different opinion, see Margetić 1982, 171 ff.; Margetić 1996, 15 ff.

<sup>54</sup> That the Vipava Valley belonged to Friuli can be deduced first from Paulus Diaconus, *Historia Langobardorum* V 19, who reports that the Avar khagan penetrated into Friuli with his army in 664 and defeated Duke Lupus of Friuli in *loco qui Flovius dicitur*. *Locus Flovius* is usually identified as Ajdovščina in the Vipava Valley, although the location is not quite undisputed. It is based on a Roman reference to *Fluvius Frigidus* as a fortress in Ajdovščina (*Tabula Peutingeriana*, *Itinerarium Antonini*): cf. Šašel 1970, 138 ff.; Šašel 1975a, 90, 91; *Claustra Alpium Iuliarum* 1, 43. For the later period(s) we have confirmation that (at least) the lower part of the Vipava Valley west of the Vrtovin brook, granted to the patriarch of Aquileia and the duke of Friuli by deeds of gift from Emperor Otto III (DD. O. III., nos. 402, 412) in 1001, belonged to Friuli: *notitia traditionis* of Bishop Altwin of Brixen from around 1070–1080 refers to Gorizia as located *in regno Italico <in> comitatu Foriulanense* (TB, no. 240).

<sup>55</sup> Mal 1923, 185 ff.; Mal 1939, 11 ff.; Šavli 1990, 67 ff.

<sup>56</sup> Hauptmann 1915, 229 ff.; Hauptmann 1923, 305 ff. See also Grafenauer 1952, 430 ff., 475 ff.; Kos M. 1955, 81 ff.; Pohl 1988, 147 ff., 238 ff.; Wolfram 1995, 82.

alliances (*pax*) between the Lombards and Avars, reporting on Avar incursions into Friuli, and documenting the existence of an Avar military outpost in the Upper Sava basin,<sup>57</sup> show that the Lombards and Avars were neighbours, and that at the latest by the turn of the 7th century, when a Lombard post in Kranj fell, the boundary between them was on the Friulian-Italic border.<sup>58</sup>

The question arising about Avar lordship over the present Slovene territory in the Early Middle Ages then is what the nature of this lordship was, and whether it was uninterrupted for two centuries. The nature of Avar lordship over the Alpine Slavs has been the subject of a long and polemic scientific controversy<sup>59</sup> that started around the early 20th century with Jan Peisker and his thesis on the bondage (*Knechtschaft*) of the Slavs-farmers under Avar *župani* – herdsmen.<sup>60</sup> This bondage theory was strongly undermined by Alfons Dopsch and his scathing criticism of Peisker's interpretation of the *župani* as a ruling nobility of herdsmen (*Hirtenadel*),<sup>61</sup> but was rebuilt on new foundations and intensified by Ljudmil Hauptmann who claimed that the Slavs (including the Alpine Slavs) lived under the Avars in the worst possible form of bondage – slavery.<sup>62</sup> Critics – in the first place Bogo Grafenauer<sup>63</sup> – have managed to prove above all that the Avar-Slavic relationship was much more differentiated than depicted by Hauptmann, who based his presentation on the devastating accounts of the Slavs under Avars by Fredegar and Nestor, and that the relationship changed both in individual provinces as well as in individual periods.<sup>64</sup> In other words: Avar lordship over the Slavs in the central areas

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<sup>57</sup> Paulus Diaconus, *Historia Langobardorum* IV 4, 12, 24, 28, 37; V 2, 18–21; VI 58; *Leges Ratchis regis* 9. V; *Annales regni Francorum* ad a. 788; *Annales qui dicuntur Einhardi* ad a. 788; *Epistolae variorum Carolo Magno regnante scriptae*, no. 20.

<sup>58</sup> See Grafenauer 1952, 475 ff.; Štih 1999b, 104, 111 ff.

<sup>59</sup> For the history of this long-standing scientific controversy, to which a range of other issues are related (*kosezi*, *župani*, enthronement of Carantanian dukes, etc.), see Grafenauer 1952, 9 ff. See also the presentation of the issues in Grafenauer 1955, 1125 ff.; Hauptmann 1954, 7 ff., 75 ff., 127 ff.; Vilfan 1968, 45 ff.; Vilfan 1983, 108 ff.; Vilfan 1996, 37 ff.

<sup>60</sup> Peisker 1905, 187 ff., 465 ff.; Peisker 1907, 326 ff.

<sup>61</sup> Dopsch A. 1909.

<sup>62</sup> Hauptmann 1915, 229 ff.; Hauptmann 1923, 305 ff.

<sup>63</sup> Grafenauer 1950, 13 ff.; Grafenauer 1955, 174 ff. Here we should add that Grafenauer's argumentation about a Avar-Slavic *alliance* represents the other extreme (see the next note).

<sup>64</sup> Fritze 1979, 514 ff., 545, arrived at the same conclusions independently from Grafenauer's research. The following recent researches are also indispensable for

of the khaganate at the middle Danube and the Tisa in Pannonia was certainly more rigorous than on its fringes in the mountainous and densely forested areas of the Eastern Alps and northwestern Balkans, since these were not suitable for the way of life of nomadic horsemen. Hauptmann's response to his critics, formulated in his last work on the issue, published forty years after his first discourse on the theme, describes the Slavic-Avar relationship in these words: "There would hardly have been so many obstinate claims that the Carantanians were also allies to the Avars, if not for the persistent – at least subconscious – belief that they were typified slaves or serfs. However, individual bondage is one thing, and collective slavery another. Nothing indeed supports the opinion that every Carantanian had his own Avar lord. Months passed by without seeing an Avar nomad, perhaps even years in remote places. But when a band of Avars visited a village, total lawlessness reigned of the kind so movingly described by Fredegar and Nestor, and which even the mighty Goths experienced under the Huns."<sup>65</sup>

This formulation meant a departure from the old views and practically the end of the bondage theory, whose most notable representative Hauptmann was. Bondage formulated this way has no stable social relations, nor distinct legal forms, and leaves a large empty space for an independent Slavic social and legal order. Bondage was at most reflected in the field of political and military relations. Whether the term bondage (*Knechtschaft*) is then still adequate may be seriously doubted, and a term describing the relationship more accurately would be lordship (*Herrschaft*).<sup>66</sup>

The second question concerns the continuity of Avar lordship over the Slavs of the Slovene Sava basin and is related to the events that shook the Avar khaganate in the 620s: the failed siege of Constantinople in 626 caused an internal crisis, in which individual groups of the leading class fought for lordship in the khaganate.<sup>67</sup> Earlier (in 623), the Slavs who had probably risen against Avar lordship north of the Danube, were joined by the Frankish merchant Samo, who managed to establish himself as their leader in the conflicts with the Avars and

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understanding the relationship between the Avar and Slavs: Avenarius 1974, 11 ff.; Pohl 1988, 112 ff., especially 119; Pohl 1995, 86 ff. Rather unconventional views are in Pritsak 1983, 353 ff.

<sup>65</sup> Hauptmann 1954, 90.

<sup>66</sup> Cf. Vilfan 1968, 53.

<sup>67</sup> Pohl 1988, 268 ff.

Franks and forge a political formation and union of the Slavic tribes. The location and extent of Samo's state are still disputed. Its centre was presumably north of the Danube, in Bohemia and Moravia; the participation of Lombard troops in the war of the Frankish King Dagobert against Samo in 630 suggests that his kingdom included also a Slavic march (*marca Vinedorum*) under Prince Vallucus in the area of later Carantania.<sup>68</sup>

The assumption that the Carantanian area was part of Samo's tribal union rests exclusively on logical deduction, not on positive data, but Slovene historiography nevertheless claimed that Samo's kingdom extended southwards across the Karavanke into present-day Slovene territory.<sup>69</sup> This was based on the circumstance that the Avars did not attack Friuli in Samo's time (there are no such reports for the 610/11–664 period), presumably suggesting that the Avars were not in control of the Slovene Sava basin and that it therefore must have been part of Samo's kingdom. The claim is as questionable as every *argumentum ex silentio*. The fact that for most of the 8th century, until 788, there are no reports on Avars threatening Friuli does not mean that they were not in control of the Upper Sava basin, because their control is confirmed by other sources.<sup>70</sup> And even if the Avars actually did not control the Slovene area for some time, this does not mean that it must automatically have belonged to Samo's kingdom. We can well imagine that at the time of the Avar crisis after 626, when the khaganate lost much of its power and prestige, the Upper Sava basin turned into something of a no man's land, an area nominally considered to be Avar territory, but in reality without a true master. The Avar incursion into Friuli in 664, following a request from the Lombard king Grimoald and ending with the defeat of the Friulian Duke Lupus, probably somewhere in the Vipava Valley,<sup>71</sup> bears witness to the consolidation of the khagan's authority and his re-established control over the contact zone with Italy in the Upper Sava basin.

<sup>68</sup> Fredegar, *Chronicae* IV 48, 68, 72, 74, 75; Hauptmann 1915, 245 ff.; Kos M. 1936, 22 ff.; Kos M. 1985, 151 ff.; Grafenauer 1950a, 151 ff.; Wolfram 1979, 73 ff.; Wolfram 1995a, 301 ff.; Pohl 1988, 256 ff.

<sup>69</sup> Hauptmann 1915, 257; Grafenauer 1952, 472; Grafenauer 1978a, map on p. 354; Grafenauer 1978, 70 (described as factual!). Margetić 1992, 164 is also convinced that Carniola was part of Samo's kingdom.

<sup>70</sup> *Leges Ratchis regis* 9. V.; Paulus Diaconus, *Historia Langobardorum* VI 58.

<sup>71</sup> Paulus Diaconus, *Historia Langobardorum* V 19–21.

*The Ethnic Structure*

The westernmost part of Avaria was Slavic settlement territory, and Slavic presence in the area between Pannonia and the Friulian plain is clearly documented in literary accounts from the Early Middle Ages.<sup>72</sup> These are particularly enlivened by the story of Paul the Deacon about the history of his own family, *genealogia*, whose dramatic climax is the escape of his grandfather Lopichis from Avar captivity to Italy around 620.<sup>73</sup> According to Paul's story, a Slavic village with houses was located in the area of present-day Slovenia (at a walking distance of a couple of days from Italy), where we can imagine a rhythm of life dictated by farming and pasturing. An old, sage and experienced woman lived in this village, who may have understood Germanic, and who lived in fear because of her noble deed – helping a young Lombard refugee. This means that she thought the refugee and/or herself to be in danger, and her fear may have had tribal-political reasons or she may have feared Avar sanctions. This peasant woman also knew where Italy and Forum Iulii (Cividale del Friuli) were located and showed Lopichis the right way.<sup>74</sup>

Corresponding with this state of affairs, the Lombards from neighbouring Friuli considered the basin of the Upper Sava a "land of Slavs" (*Sclavorum patria*) in the 8th century.<sup>75</sup> The Slavs settled the present-day Slovene territory in the period between 568, when the Lombards moved from Pannonia to Italy, and the last decade of the 6th century, when the Slavs were already clashing with the Bavarians in the Upper Drava Valley and penetrating into Italy across the Karst.<sup>76</sup> As far as the absence of several bishops from the Norican-Pannonian region in the synodal records of the patriarchate of Aquileia, dating from the last quarter of the 6th century,<sup>77</sup> indeed means that their bishoprics had

<sup>72</sup> See e.g. Gradivo 1, nos. 112, 116, 126, 131, 138, 140, 146–148, 153, 164, 178, 179 etc.

<sup>73</sup> Paulus Diaconus, *Historia Langobardorum* IV 37; cf. Krahwinkler 1992, 43.

<sup>74</sup> See Šašel 1992, 824.

<sup>75</sup> Paulus Diaconus, *Historia Langobardorum* VI 52.

<sup>76</sup> Grafenauer 1970–1971, 17 ff.; Grafenauer 1988a, 321 ff. See also Štih 1999a, 79 ff.

<sup>77</sup> The synods of Grado in 572/577 (*Concilium Mantuanum*) and Marano in 590 (Paulus Diaconus, *Historia Langobardorum* III 26), the letter of the schismatic bishops from Venetia and Recia to Emperor Mauritius from 591 (*Gregorii I papae registrum epistolarum* 1, I, no. 16a, b). On the issues related to these two synods and the letter, see among recent literature: Margetić 1983, 135 ff.; Berg 1985, 78 ff.; Bratož 1990, 29 ff.; Krahwinkler 1992, 73 ff.

collapsed due to advancing Slavs – as is usually presumed<sup>78</sup> – then it is even possible to define the course of the Slavic settlement with greater accuracy (stages, pace, direction). Some particularities of the Slovene language have led linguists to conclude that the Slavs who settled the Eastern Alps came from the area of the West-Slavic and South-Slavic language groups, and that the first thrust, made by a West-Slavic group, reached south of the Karavanke into the Slovene Drava basin.<sup>79</sup> According to France Bezlaj “the linguistic substratum of Slovene is essentially a language of the North-Slavic type, which however further developed under permanent South-Slavic influence from the very beginning.”<sup>80</sup>

During their settlement these two groups of Slavs met with Roman(ized) indigenous inhabitants, part of which had survived in the area into the Early Middle Ages, and who were the mediators of the ancient traditions and bearers of continuity in the historical development of the Slovene territory.<sup>81</sup> That they did survive is first of all attested by a range of toponyms related to the word *Vlach*, which the Slavs used when referring to the Romans. The *Vlach* toponyms in the present-day Slovene territory as mapped by Milko Kos<sup>82</sup> show that a greater share of the indigenous Roman(ized) population survived scattered across Upper Carniola and especially in the Kozjansko hills south of ancient Celeia, where dense settlement in Late Antiquity is confirmed by numerous archaeologically established hilltop forts.<sup>83</sup> The concentration of the indigenous population that survived into the Slavic era was densest in this area and it is even possible that, while under Avar lordship, it formed a special enclave for some time, before melting with its Slavic neighbours. Rajko Bratož even assumes that

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<sup>78</sup> Kos M. 1985, 157 ff.; Grafenauer 1970–1971, 23 ff.; Bratož 1990, 28. The recent archaeological discovery of a episcopal church in Teurnia, presumably destroyed in the late 6th century (Glaser 1987, 4, 10; Glaser 1997, 131 ff.), has made this assumption much more credible, even though the absence of an individual bishop from a synod, or his absence from the synod’s signatories, may be due to completely different reasons.

<sup>79</sup> Ramovš 1936, 83–95; Cf. Grafenauer 1970–1971, 20 ff.

<sup>80</sup> Bezlaj 1967, 122.

<sup>81</sup> On the issues of continuity and discontinuity between Late Antiquity and the Early Middle Ages in the Slovene territory, see above all *Alpes Orientales* 5, which is dedicated to them, and also: Petru 1978, 221 ff.; Grafenauer 1988, 342 ff.

<sup>82</sup> Kos M. 1985, 121 (with a catalogue). A map of the spread of *Vlach* toponyms is given in Grafenauer 1969, 72–73.

<sup>83</sup> Ciglenečki 1992, 6 ff. (includes a map of *Vlach* toponyms and one of hilltop forts from Late Antiquity in the mentioned area).

Bishop Andreas of Celeia, who attended the synod of Rome in 680 and who is mentioned in the list of signatories as *Andreas episcopus sanctae ecclesiae Celeianae prouinciae Istriae*, was still residing in his home bishopric, meaning that he was not a bishop whose seat had been moved to Istria because of the Slavic settlement, as his signature seems to indicate at first sight.<sup>84</sup>

The question has yet to be solved<sup>85</sup> but on the other hand, that the Christian faith was preserved is manifestly confirmed by the archaeological discovery of the tombstone of deacon Nonnosus from 533 in the monastic church of Molzbichl, Carinthia, from the late 8th century.<sup>86</sup> The realistic possibility that, in addition to the faith, an ancient ecclesiastical organization was preserved among the indigenous inhabitants living among the Slavs under Avar lordship – at least in some places and for some time – further illuminates the early medieval history of the Slovene area, its ties with Antiquity, and the relationship between the indigenous population and the newcomers.

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<sup>84</sup> Bratož 1996, 205 ff. Bratož 1998, 587 ff.

<sup>85</sup> In addition to the fact that the reference in the source does not all by itself exclude the possibility that Andreas resided in Istria, there is another issue of greater weight and that is the uncertain fate of the bishopric of Celeia: 1.) Bishop John of Celeia, who is mentioned at the synod of Grado in 572/577 together with the name of his bishopric (*episcopus s. ecclesiae Celejanae*), is mentioned at the synod of Marano in 590 (for both synods see n. 77 above) only by his name, and this has led some researchers (e.g. Kos M. 1985, 157 ff.; Grafenauer 1970–1971, 25; Bratož 1990, 30) to conclude that his bishopric had by that time collapsed due to the advancing Slavs and that the bishop was residing with the patriarch (in Istria) as a refugee (for a diverging opinion, see e.g. Rus 1939, 158; Šašel 1992, 578). 2.) In a letter from 599, Pope Gregory I writes to Archbishop Marinianus of Ravenna that a certain John from Pannonia was appointed as a bishop of Novigrad in Istria (Gregorii I Papae registrum epistolarum 2, IX, no. 155: *quia in castello quod Novas dicitur episcopus quidam Johannes nomine de Pannoniis veniens fuerit constitutus*); for the identification of *Novas*, see Krahwinkler 1992, 76 and note 61). The bishop's provenance is unclear. Based on his name, some historians identify him as the bishop of Celeia (Kos M., *ibidem*; Berg 1985, 85 ff.), while according to Rus (*ibidem*) he was the bishop of Emona, because the bishopric of Novigrad carried the name *episcopatus Emon(i)ensis* from the High Middle Ages onward and was connected with the Emonian tradition (see a survey of these issues in Bratož 1984, 65 ff.). 3.) A cult of St Maximilian of Celeia is attested in the northern Istrian towns (Piran, Koper, Umag, as well as Pićan in the interior) from the Middle Ages onwards. How and when the cult was brought to Istria is not known, but a reasonable explanation, and one that is usually preferred, is that it occurred in the late 6th century when the indigenous population of the Savinja area fled from the Slavs/Avars to Byzantine Istria together with their bishop (see Bratož 1986a, 177 ff., especially 187 ff.). If, then, the bishopric of Celeia indeed collapsed in the late 6th century, it is hardly likely that it was later re-established and that Andreas was still residing in the area of the diocese after which he was called in 680.

<sup>86</sup> Glaser 1989, 99 ff.; Glaser 1997, 129; Karpf 1989, 125 ff.



The Roman(ized) population that survived in the coastal province and at the eastern edge of Friuli represents a special chapter in the early medieval history of the present-day Slovene territory, but because the present discourse focuses on the area that did not belong to Italy, it will not be given particular attention – and neither will all ethnic and other structures – although this population left deep and permanent traces.<sup>87</sup>

The ethnic picture of the Slovene territory in the Early Middle Ages is complemented by the Avars, whose lordship over the territory was secured by the military posts they maintained here.<sup>88</sup> One of them (called *uualum*) was destroyed by an attack of the Frankish army from Friuli that killed many Avars and captured 150 of them in 791.<sup>89</sup> Specific toponyms, which are however much scarcer than in Carinthia and at the upper Mura valley, indicate that fractions of Croats were settled south of the Karavanke too.<sup>90</sup> Likewise Lombards cannot be excluded.<sup>91</sup>

Similar to the Carantanian area, the Slovene territory had a polyethnic structure in the Early Middle Ages. Even so, it seems to have been ethnically more homogeneous than north of the Karavanke Mountains, and the non-Slavic ethnic groups were fewer in number and smaller. Although absolute population numbers in the Early Middle Ages are highly uncertain, Bogo Grafenauer estimated the population of the entire Slovene territory of the period at 150,000 to 200,000 people, including several tens of thousands indigenous inhabitants, the rest being Slavs.<sup>92</sup> It is however not clear whether his “entire Slovene

<sup>87</sup> See note 14.

<sup>88</sup> Only one is documented beyond doubt: the one the Franks destroyed in 791, located a day's march from the border of Italy, most probably somewhere in the area of the Ljubljana basin and on the road from Italy to Pannonia (see next note). Three toponyms may also be connected with the former presence of Avar garrisons: Obri, Obrov, Obrje (Hauptmann 1923, 14; Ramovš 1936, 11).

<sup>89</sup> *Epistolae variorum Carolo Magno regnante scriptae*, no. 20. See Pohl 1988, 316; Krahwinkler 1992, 148; Bratož 1998a, 151 and note 22.

<sup>90</sup> See the map in Grafenauer 1980, 288. To date, the most fundamental study on the highly complex issue of the presence of Croats in the area of the Eastern Alps in the Early Middle Ages is that of Grafenauer 1958–1959, 207 ff. Cf. Štih 1989, 319 ff.

<sup>91</sup> That they were present in the Slovene area until at least the late 6th century is attested by the cemetery on Lajh in Kranj: Werner 1962, 121 ff.; Stare 1980, 17 ff.; Knific 1995, 23 ff. In particular grave no. 266 (also known as grave no. 50) stands out from the chronological framework of the 6th century as it yielded a Lombard quarter siliqua (an identical one was found on Rifnik), which Kos P. 1981, 97 ff.; Kos P. 1981a, 584 ff., dates to the second half of the 7th century; it was presumably minted in Cividale del Friuli.

<sup>92</sup> Grafenauer 1952, 479.

territory” referred to the present-day Slovene ethnic territory (around 25,000 km<sup>2</sup>), or to the Slavic settlement area extending from the Kolpa in the south to the Danube in the north (around 60,000 km<sup>2</sup>).<sup>93</sup> Slovene historiography indeed used to take the latter as the Slovene ethnic (settlement) territory,<sup>94</sup> but has yet to provide grounds for proclaiming the Danube Slavs of the Early Middle Ages as Slovenes, and the territory of their settlement as Slovene territory.<sup>95</sup> Regardless of the area that Grafenauer had in mind, his estimate of the population is hardly useful because it is little more than guesswork.

The same cannot be said about Sergij Vilfan’s attempt as he used a methodologically quite ingenious method to arrive at an estimate of the early medieval population. His starting point was the oldest source of a statistical nature referring to one part of the Slovene territory – the first urbarium of the Freising Škofja Loka seignery from 1160,<sup>96</sup> which he used to calculate the seignery’s population at the time of the record. He subtracted one third of the total number for the people identifiable in the urbarium as colonists from Bavaria and Carinthia. He was then left with around 1,000 people, descendants of the indigenous population, or two per square kilometre. If we consider this number correct for the period of advancing colonisation and agriculture, then at most 500 people or one per square kilometre would have lived in the Škofja Loka seignery in the earlier period of extensive agriculture of the Early Middle Ages. As the Škofja Loka seignery is quite representative of the Slovene settlement area because of its alternating plains, valleys, and mountains, an extrapolation of its population to the territory of present-day Slovenia yields a mere 20,000 people after the Slavic settlement in the Early Middle Ages.<sup>97</sup> This may seem a low number, but if we remind ourselves what changes to the settled area and population numbers were caused by the colonisation of the High and Late Middle

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<sup>93</sup> A few pages earlier Grafenauer (*ibidem* 486) for instance states that the oldest mention of a Slavic *župan* (Physo in the foundation charter of the Kremsmünster monastery from 777, who was appointed in Bavaria (*sic!*, west of the Enn, note P. Š.) originates from “Slovene territory,” but in Grafenauer 1978a, 311 he writes: “In the then conditions not more than 150,000 to 200,000 inhabitants can have lived in the Slovene territory in the Alps, at the Upper Sava, and the Soča (Isonzo).”

<sup>94</sup> Kos M. 1955, 35, 74 ff. (with a map); Grafenauer 1978a, 309 (with a map on p. 310); Sluga 1979, 105 (with a map).

<sup>95</sup> See Štih 2007a.

<sup>96</sup> *Noticia bonorum de Lonka*. On the origin, dating, and tradition of this urbarium, see Thoma 1996, 7 ff.

<sup>97</sup> Vilfan 1993a, 214 ff.

Ages, when also urban settlements emerged,<sup>98</sup> it may well seem acceptable, though not necessarily accurate. Above all, it is to date the only estimate that has at least attempted to be rationally founded.

### *The Tribal Structure*

A typical feature of Slavic ethnogeneses – the formation of individual peoples (tribes) defined as Slavic, whose specific identities are reflected in their names – in the vast area between the Sudety Mountains in the north and the Dalmatian hinterland in the south, was that their formation was connected with the termination of Avar lordship over the area.<sup>99</sup> The ethnogenesis of the Carantanians, the oldest Slavic people (tribe) in the mentioned area, which was probably concluded around 700 (and not later than the mid 8th century), occurred only after the end of Avar lordship over the Carinthian Drava basin in the third decade of the 7th century.<sup>100</sup> Similarly, the collapse of the Avar khaganate in the late 8th century caused intensive social and ethnic restructuring of the population on its ruins, where Slavic and other fractions started to link up into new local and regional communities: new identities started to form and with them new tribes (peoples).<sup>101</sup>

These ethnogenetic processes are clearly reflected in the terminology of the sources. Instead of the general term *Sclavi* (*Slověne*, *Winedi*), which had the meaning of a collective ethnic name,<sup>102</sup> individual tribal names of Slavic peoples emerged at the fringes of the former khaganate – e.g., the Bohemians and Moravians, or the Timocians, and in 820 the Carniolans.<sup>103</sup> The *Annales regni Francorum* report in connection with the uprising of Louis, the duke of Lower Pannonia, that the Frankish army returning from the rebellious area once more subjugated to the authority of the Friulian margrave the *Carniolenses, qui circa Savum fluvium habitant*,<sup>104</sup> who – like parts of the Carantanians – had broken away from the Franks and joined Louis's uprising.

<sup>98</sup> See Grafenauer 1969, 64–65; Blaznik, Grafenauer, Vilfan 1970, 29 ff.

<sup>99</sup> Cf. e.g. Pohl 1988, 112 ff.; 323 ff.; Graus 1980; Katičić 1985, 299 ff.; Budak 1990, 129 ff.

<sup>100</sup> Wolfram 1979, 74 ff.; Wolfram 1991, 177 ff.; Wolfram 1995, 39 ff.; Bertels 1987, 91 ff.; Štih 1995, 26 ff.

<sup>101</sup> Katičić 1990, 125 ff.

<sup>102</sup> Wolfram 1979, 89.

<sup>103</sup> Štih 1995, 39.

<sup>104</sup> See note 32.

The tribal name of the inhabitants of the Upper Sava basin, mentioned solely in this passage, accurately reflects the intensive process of social and ethnic restructuring that unfolded in the former Avar territory. Similarly to the formation of individual peoples elsewhere among many of the Slavs of the former Avaria, a separate people (*gens*) started to form in the Upper Sava basin in the late 8th century.<sup>105</sup> This ethnogenetic process evolved in such a manner that the inhabitants of Carniola, who were still referred to with the collective tribal name of Slavs around the mid 8th century, had their own individual tribal name just two generations later, a name they derived from that of the province where they lived and which reflected their tribal identity.<sup>106</sup> Like the Carantanians, the Carniolans were a polyethnic, but predominantly Slavic people and to its contemporaries Carniola was *patria Sclavorum* (in the language of the contemporary sources the full name of the tribe of the Carniolans would be *gens Sclavorum Carniolensium*, but it is not attested in this form).<sup>107</sup> Deriving the tribal name from the land's name, which was not Slavic, they associated themselves – again like the Carantanians – with the tradition of the area that extended backward from the Carniola of the 8th century via *patria Carnium* of the 6th century to the *Alpes Iuliana* of Late Antiquity, as the region was once called according to the anonymous Ravenna geographer.<sup>108</sup> All we can say about the territory inhabited by the Carniolans and its extent is that it included the area at the Upper Sava, bordering in the west towards Friuli, and that its principal settlement was most likely Kranj, the centre of the Upper Sava basin, which had a highly favourable defensive location on the confluence of the Sava and Kokra rivers. An important settlement already existed here in Late Antiquity, attested by a large cemetery,<sup>109</sup> and the anonymous Ravenna geographer refers to it as *Carnium*;<sup>110</sup> in the 11th century it had the same name as the march in which it was located (*Creina*) and was already fortified (*munitio*).<sup>111</sup> In 973 a *via Chreinariorum*<sup>112</sup> is mentioned in its vicinity, and in the

<sup>105</sup> See Štih 1996b, 16ff.

<sup>106</sup> Paulus Diaconus, *Historia Langobardorum* VI 52: *Carniola, patria Sclavorum*; *Annales regni Francorum* ad a. 820: *Carniolenses*. See notes 23–25 above

<sup>107</sup> To their contemporaries the Carantanians, too, were a Slavic people; *Conversio Bagoariorum et Carantanorum*, c.3: *Sclavi qui dicuntur Quarantani*.

<sup>108</sup> Šašel 1970–1971, 33 ff.; Šašel 1992, 588 ff.; Štih 1996b, 15.

<sup>109</sup> See note 91.

<sup>110</sup> *Ravennatis anonymi Cosmographia et Gvidonis Geographica* IV 21.

<sup>111</sup> See Kos M. 1975, 282 ff. The Old Slavic skeleton graves in Kranj date to same period (8th–12th c.) (Valič 1982, VI).

<sup>112</sup> D. O. II., no. 66.

High Middle Ages Kranj was the seat of the margrave and an official fief held by the bearer of margraval authority in Carniola.<sup>113</sup>

The tribal formation of the Carniolans thus unfolded in the centre of the present-day Slovene territory at the turn of the 9th century, and at least part of its northeastern area was inhabited by Carantanians, whose centre was in Zollfeld, Carinthia. Following Carantania, Carniola thus became the second Slavic tribal principality in the Eastern Alps. As Friuli's immediate eastern neighbour Carniola came under Frankish rule in the course of the Frankish-Avar war, perhaps already in 791, but certainly in 795, or at the latest in 796. Drawing parallels with its immediate neighbour, Carniola too retained its tribal constitution and was incorporated as a tribal client principality with relative internal autonomy into the March of Friuli. However, the division of the March of Friuli among four counts in 828 – the mandate area of one of them must almost certainly have been the Upper Sava basin<sup>114</sup> – and the related introduction of administration by counts most probably caused Carniola to lose its internal autonomy and with it its tribal constitution. This process, for which there is a range of examples in the southeast of the Frankish Empire,<sup>115</sup> must be associated with the mention of a first Frankish count – Salacho, of Bavarian extraction<sup>116</sup> – at the Upper Sava in the 830s, whom we may consider the successor of the tribal prince of the Carniolans. The loss of their tribal constitution sealed the fate of their tribal identity, which had hardly started to develop, and it would take several centuries for a new name to establish itself for the inhabitants of the central region of the present-day Slovene territory – *Kranjci* (*Krainer*). But this was the fruit of a different development, based on new foundations and connected with the formation of the *Land of Carniola* in the High and Late Middle Ages.

### *The Social Structure*

The social structure of the Slavic peoples (Carantanians and Carniolans) in the Eastern Alps, inseparably linked with the issue of their economic

<sup>113</sup> Krones 1889, 363 and note 138; Hauptmann 1929, 391; Žontar 1982, 12 ff.

<sup>114</sup> *Annales regni Francorum* ad a. 828. A detailed survey of the issue and literature related to the question of which these four counties were is given in Krahwinkler 1992, 194 ff.

<sup>115</sup> See Štih 1994, 213 ff.; Štih 1996b, 17 ff.

<sup>116</sup> *Conversio Bagoariorum et Carantanorum*, c. 10. For Salacho see Mitterauer 1963, 138 ff.

bases and legal order,<sup>117</sup> is one of the biggest and hardest to solve problems of the area's early medieval history. In tackling the issue, the historian has only a small number of contemporary sources to draw on and his conclusions will largely depend on backward deduction, the inclusion of ethnographic and other comparisons, philological, etymological and archaeological findings, and the like. The given condition of the sources allows for very diverse interpretations, great differences in opinions, as well as protracted debates, some of which (e.g. the issue of the *župani* and *kosezi*) hail back to Jan Peisker, Alfons Dopsch, Ljudmil Hauptmann, and continue to the present day.<sup>118</sup> This polemical scrutiny of the historian's documentation (to which new sources were constantly added) and the conclusions derived from it, often by way of masterly techniques and admirable ingenuity,<sup>119</sup> has solved many an issue, or at least demonstrated the untenability of some proffered solutions. But in spite of the achieved progress, the social and organisational structure of the Slavs in the Eastern Alps continues to raise more questions than answers have been provided. And this means that any attempt to present the mentioned structures is necessarily highly hypothetical, and that given the present state of research it can hardly be different.<sup>120</sup>

Although the Carantanians and Carniolans represent two different Slavic peoples in the Eastern Alps, with two different tribal identities, there can be no doubt that their economic, social, legal and cultural-linguistic structures were determined by common features. This of course does not mean yet that we can automatically generalise, e.g. on the structure of the Carantanian society, of which we have better knowledge based on sources – to the area south of the Karavanke Mountains, because the historical development of the Carantanian area was specific, and some basic social processes – the termination of Avar lordship, ethnogenesis, annexation to the Frankish-Bavarian sphere,

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<sup>117</sup> On the economy of the Alpine Slavs, see Grafenauer 1952, 436 ff.; Blaznik, Grafenauer, Vilfan 1970 (encyclopaedic treatment of individual economic branches); Kahl 2002, 292 ff. For Old Slavic law and legal order, see Vilfan 1968, 35 ff.; Vilfan 1996.

<sup>118</sup> See note 59.

<sup>119</sup> E.g. Hauptmann's solution to the question of *župani* and his calculation of the ratio between a Slavic and a Bavarian *mansus* (Hauptmann 1923, 7 ff., Hauptmann 1928, 386 ff.) or Vilfan's reconstruction of the *kosez* manor in Log (Vilfan 1966, 181 ff.).

<sup>120</sup> Cf. Blaznik, Grafenauer, Vilfan 1980, chapters 29, 30, 32, 34.

Christianisation, feudalisation – started here at least one, two, or even three generations earlier than in most of present-day Slovene territory. However, if a specific social form – e.g. *župani* or *kosezi* – is attested in both areas, then there can be no methodological reservations for considering findings, acquired on the basis of material related to the Slovene territory, to be indicative of the Carinthian area as well, and vice versa.

Today, there is no doubt that the early medieval Slavic society of the Eastern Alps was differentiated and consisted of several social classes.<sup>121</sup> The *Conversio Bagoariorum et Carantanorum* reports on the Carantanian area that a special privileged class existed, called *principes*, and differentiates between *servi* and others *qui eorum dominabatur*.<sup>122</sup> Concerning the nobility, Salzburg, Freising and Brixen *notitiae traditionum* (donation records)<sup>123</sup> provides more informative and concrete data, substantiating the existence of a Slavic nobility before the end of the 8th century and, more specifically, its survival into the Frankish era, as has been exemplarily demonstrated by Michael Mitterauer.<sup>124</sup> Concerning the area south of the Karavanke, it seems that traces of the former old Slavic nobility were preserved in the persons who gifted their albeit modest allodial properties in the environs of Bled to the church of Brixen under Bishop Altwin in the second half of the 11th century, although we cannot exclude other explanations.<sup>125</sup> Old Slavic roots may be similarly traced in Pribislav, obviously a nobleman, to whom Otto III donated (*nostra regali traditione*) an estate somewhere northwest of Ljubljana; as Pribislav's property (*proprietas*) it was exempted from the land Otto granted (confirmed) to the bishop of Freising in 989.<sup>126</sup>

The core issue of the Slavic nobility in the Eastern Alps is that of the *kosezi* (German *Edlinger*).<sup>127</sup> The *kosezi* are a distinctly Alpine Slavic feature, because places where they lived or settlements whose names are reminiscent of them are found between the Upper Enns in the

<sup>121</sup> Kos M. 1955, 78 ff.; Grafenauer 1978a, 367 ff.; Vilfan 1968, 65; Blaznik, Grafenauer, Vilfan 1980, 95 ff., 291 ff.

<sup>122</sup> *Conversio Bagoariorum et Carantanorum*, c. 7, 8.

<sup>123</sup> SUB 1; TF 2; TB.

<sup>124</sup> Mitterauer 1960, 693 ff.

<sup>125</sup> Hauptmann 1923, 108 ff.; Hauptmann 1952–1953, 270 ff.; Grafenauer 1955, 1139 ff.; Kos M. 1970–1971, 7 ff.; Pleterski 1986, 91 ff.

<sup>126</sup> D. O. III., no. 58.

<sup>127</sup> A quite detailed bibliography (until around 1980) of the vast literature on the issue of the *kosezi* is in Blaznik, Grafenauer, Vilfan 1980, 290.

north and the Kolpa in the south.<sup>128</sup> It is not just their origin that is disputed (were they *Gerfolgschaft* of the Carantanian princes, *limitanei*, *arimanni*, leaders of the population of farmers that rose up against the *župani*-herdsmen, descendants of a victorious Croatian tribe of *Kosezi*, or Christian peasant militiamen fighting pagans?), but also the origin and etymology of their name.<sup>129</sup> From the time when we can trace them in sources from the High Middle Ages onwards, their position as a social group in the social hierarchy continuously dwindled. In 12th-century charters the *kosezi* are still of a rank equal to that of the ministerials,<sup>130</sup> in the Late Middle Ages they are merely peasants with some privileges. The peasant who enthroned the duke of Carinthia in the Late Middle Ages was a *kosez*.<sup>131</sup> Even so, it was indisputably a social class tracing back to the Early Middle Ages that was privileged in one or another way. Their German name *Edlinger* adequately confirms their special status. What it tells us is that the Bavarians considered the *kosezi* to be noblemen, but also that the word *kosez* is older than *Edlinger*: if it was the other way round, then the Slovene name for a member of a class defined in German with the root *edel* would not be *kosez*, but a derivative of the root *plemen*.<sup>132</sup> The *kosezi* thus already existed at the time when the Bavarians upon their first contact with the Alpine Slavs considered them noblemen, but as stated above neither their origin, nor the origin of their name have been clarified, and the only thing certain is that it is not Slavic. We may then define them as a kind of emerging nobility which, as Vilfan's reconstruction of a *kosez* manor at the eastern edge of Ljubljana demonstrated, owned manors with an area of 100 hectares or more.<sup>133</sup>

Beside the *kosezi*, the Alpine Slavs also had a real nobility. The Carantanian prince and his family certainly belonged to this group,<sup>134</sup> and we may assume that the circles of reputed Carantanians, whose

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<sup>128</sup> See the map "Kosezi in 'koseška' krajevna imena v Veliki Karantaniji z mejami" (The *kosezi* and *kosez* toponyms in Great Carantania) in: Blaznik, Grafenauer, Vilfan 1980, appendix VI (reprinted in: Grafenauer 1991b, 313–314). *Kosezi* or names of the *kosez* type are further mentioned in Lika and in the hinterland of Zadar, both Croatia (Klaić 1965, 3 ff.).

<sup>129</sup> Bezljaj 1982, 69 (s. v. *kosez*). An overview of older etymologies is also in Grafenauer 1952, 29 ff.

<sup>130</sup> Hauptmann 1923, 122.

<sup>131</sup> Ausgewählte Urkunden, no. 167.

<sup>132</sup> Blaznik, Grafenauer, Vilfan 1980, 292.

<sup>133</sup> Vilfan 1966, 190 ff.

<sup>134</sup> Vilfan 1968, 58 ff.; Štih 1995, 27 ff.



sons were taken to Bavaria as hostages together with two members (Cacatius, Hotimir) of the prince's family, belonged to the nobility; a likely descendant of these hostages was *Baaz de genere Carantania Sclauaniorum*, who living in Bavaria donated his inherited seignury there to the church of Freising in 830.<sup>135</sup>

Unlike Carantania, for which the *Conversio Bagoariorum et Carantanorum* reveals the names of eight princes and, in addition, record that a special princely family (*genus ducale*), within which princely lordship was hereditary, ruled the Carantanians around the mid 8th century,<sup>136</sup> we do not know of a single tribal prince of the Carniolans south of the Karavanke Mountains. Vojnomir the Slav (*Wonomyrus Sclavus*), mentioned in the Royal Frankish Annals, who participated in the military expedition of the Franks to the centre of the Avar khaganate between the Danube and Tisa in 795,<sup>137</sup> is often thought of as a Slavic prince from the basin of the Upper Sava, but there is no confirmation for this assumption.<sup>138</sup> The source indeed merely mentions that Duke Eric of Friuli sent his men to Pannonia with Vojnomir to plunder the Ring of the Avars. The wording of the annals indicates that Vojnomir was subordinated to Eric and that he commanded the Frankish army in Eric's name. In 795 and after over two hundred years of Avar dominion in the Pannonian Plain, this was the first foreign army to conquer the political and religious centre of the Avar khagante.<sup>139</sup> Vojnomir is not referred to as a tribal prince and it is hard to imagine that the Franks would entrust the command over their elite units to a Slavic tribal prince. It is therefore quite possible, as Walter Pohl thought, that Vojnomir was a (Friulian) Slav who made a career among the Franks.<sup>140</sup>

<sup>135</sup> TF 1, no. 589; Mitterauer 1960, 722.

<sup>136</sup> *Conversio Bagoariorum et Carantanorum*, c. 4, 5, 10; Štih 1995, 31.

<sup>137</sup> *Annales regni Francorum ad a. 796: Henricus dux Foroiuliensis missis hominibus suis cum Wonomyro Sclavo in Pannonias hringum gentis Avarorum/.../spoliavit.*

<sup>138</sup> Grafenauer 1952, 538; Kos M. 1955, 98; Vilfan 1968, 45; Klaić 1971, 163; Wolfram 1979, 71; Katičić 1985, 301 and note 7; Štih 1996b, 17; Bratož 1998a, 153. To some historians (e.g. Šišić 1925, 303; Goldstein 1995, 142) Vojnomir was a (Croatian) prince from Slavonia. The opinion that Vojnomir was a Carantanian prince was already rejected by Kos M. 1936, 21.

<sup>139</sup> The account in the *Annales regni Francorum* gives a background role to Erik, who is first mentioned here, and suggests that he may not have participated in the military expedition against the Avar Ring. In other sources however (Alcuinus, *Annales qui dicuntur Einhardi*, *Annales Fuldenses*, *Pauli diaconi continuiatio tertia*, *Conversio Bagoariorum et Carantanorum*, *Poeta Saxo*, *Paulinus: Versus de Herico duce*) he is mentioned as the conqueror of the Ring and the middle Danube basin. On Eric, see Krahwinkler 1992, 150 ff.

<sup>140</sup> Pohl 1988, 319; Krahwinkler 1992, 150; Wolfram 1995, 82.

Whether the Carniolans had a monarchical prince at all, or were perhaps ruled by several princes at a time,<sup>141</sup> remains an open question. Here we must draw attention to a custom recorded before the mid 15th century, according to which the *kosez*, who had in fief the *kosez* manor in Log at the eastern outskirts of Ljubljana, had to drive a decorated bull in ceremonial procession to Ljubljana upon the arrival of the prince of the *Land* and deliver it to the sovereign's kitchen. The last time the owner of this *kosez* fief delivered a bull was for the hereditary homage to Charles VI in 1728.<sup>142</sup> There is no doubt that the custom was initially connected only with the arrival of the prince of the *Land* on the occasion of the hereditary homage (and not with every one of his visits), and the delivery of animals to his kitchen is most likely a misinterpretation of the custom's original meaning. The same group of *kosezi* included someone whose name was Kamnar ("Stoner"), but who was in no way connected with masonry or a stone quarry. *Kosez*, stone, hereditary homage, a decorated bull, a ceremonial procession – all these elements are reminiscent of the Carinthian enthronement ceremony,<sup>143</sup> whose roots extend back to the Early Middle Ages and which the *Conversio Bagoariorum et Carantanorum* probably mentions *implicite*.<sup>144</sup> Bogo Grafenauer demonstrated that the enthronement of princes as we know it from Carinthia is a ceremony that has parallels elsewhere in the Slavic world<sup>145</sup> (most notably in the enthronement of the Bohemian princes as it is described in Cosmas of Prague's account of the enthronement of Břetislav I in 1034).<sup>146</sup> The modern-age custom from the fringes of Ljubljana may be a veiled memory of the ceremony that was once used to hand over authority to the domestic (Carniolan) prince.

The *župani* constituted a special class in the social structure of the Slavs and they were the subject of a heated and long-lasting polemic in the early 20th century.<sup>147</sup> *Župani* from the present-day Slovene territory,

<sup>141</sup> Vilfan did not exclude this possibility 1968, 58; nor did Wolfram 1995, 306.

<sup>142</sup> Vilfan 1966, 186, 190–193, 209; Vilfan 1996, 109.

<sup>143</sup> In Carinthia, the hereditary homage was directly associated with the enthronement ceremony, because even when the ceremony became defunct after 1414, the duke continued to accept the homage on the Duke's Throne for some time, either in person (1564, 1597) or through his deputy (1631, 1651) until the homage was transferred to the *Landhaus* in Klagenfurt. See Grafenauer 1995, 64.

<sup>144</sup> *Conversio Bagoariorum et Carantanorum*, c. 4. Most recently, see Dopsch 1995, 111 ff.

<sup>145</sup> Grafenauer 1952, 229 ff.

<sup>146</sup> Schmidt 1978, 439 ff.

<sup>147</sup> See note 59.

especially from Lower Styria, are known only from high and late medieval sources, which present them as an institution of feudal society (seigneuries) and local autonomy.<sup>148</sup> It is quite certain, as their name indicates, that their development was connected with the Old Slavic *župani*. Ljudmil Hauptmann managed to prove that the prototype of the seignury *župan* was a *župan* who held two *mansi* – i.e. a *župan* who had twice as much land as other farmers, but who was exempted from his lord's dues. He explains this privileged position from a development in which the transition from the extensive Slavic *zadruga* economy to the *mansus* system relied on the authority of the elder of the *zadruga* (large family) village and that he was rewarded for his efforts in turning it into a *mansus* village with two untaxed *mansi*.<sup>149</sup> Following this today generally accepted explanation,<sup>150</sup> the new seigneurs made good use of a Slavic institution to establish and operate their seigneuries, but they greatly reduced the *župan's* function and significance.

Given the role the *župan* (*iopan*) Physso had in the incorporation of a Slavic deaconry (led by two *actores*) into the property of the Kremsmünster monastery in 777,<sup>151</sup> it appears that the role of the *župani* in Old Slavic society must have been quite important. Duke Tassilo III of Bavaria among others gifted to the newly founded monastery a deaconry of Slavs whose borders were determined a little earlier when it was included in the ducal property. When it was donated to the monastery, Physso walked the boundaries of the Slavic settlement territory together with the duke's authorised representatives to confirm them. Physso – according to Kronsteiner an abbreviated form or nickname (hypocoristic) for Pribislav<sup>152</sup> – acted as the tribal leader of a locally settled group of Slavs and cooperated as their legally binding representative in the incorporation of their land and people into the

<sup>148</sup> Dopsch A. 1909, 23 ff.; Hauptmann 1923, 7 ff.

<sup>149</sup> Hauptmann 1923, 67 ff.

<sup>150</sup> Grafenauer 1955, 1132 ff.; Vilfan 1968, 54; Blaznik, Grafenauer, Vilfan 1980, 33 ff.; Hardt 1990, 164.

<sup>151</sup> The foundation deed of the monastery of Kremsmünster is preserved in three late medieval copies, which are however contaminated with later interpolations in the text. The recent reconstruction of the foundation deed is in Wolfram 1995, 373 ff. In dealing with the Slavs mentioned in the charter as ruled by their own *župan*, historiography has made errors in interpretation due to the use of unreliable editions or *regesta* (e.g. Gradivo 1, 256). See also Fichtenau 1977, 62 ff., especially 83 ff. and 97 ff.

<sup>152</sup> Kronsteiner 1975, 27.

monastery's property.<sup>153</sup> Physso's importance may be compared with the account of Constantine Porphyrogenitus from around the mid 10th century that the Dalmatian and other Slavs had no archontes but *župani* – elders,<sup>154</sup> and this may be understood as if they held the position of patriarchal chiefs. The issue of the *župani* in the social structure of the Slavs is far from solved. Their relationship to the princes is not clear, we do not know how they were appointed, or whether their position was perhaps hereditary. Their origin is still something of an enigma although a majority tends to believe that *župan* is an originally non-Slavic name and institution and that the Slavs adopted it by way of the Avars.<sup>155</sup>

*Župani* governed *župe* (sing. *župa*) in which, as is now largely accepted, most of the Slavic population was organised. Whether this population was free or unfree is a question historiography has been dealing with as long and polemically as with the issues of *kosezi* and *župani*. It would be impossible here to present the entire issue and the debate that developed from it. The question is important not only to the Old Slavic period, but also bears on the later development. The crucial issue is whether the development into feudal dependence, in which most of the Slovene population lived from the High Middle Ages onward, proceeded from a society in which most inhabitants were free-men, or a society in which they were bondsmen. Was the personal status of legal dependence shared by most of the Slovene population in the feudal era a continuation of a domestic development in the Early Middle Ages, or was it a transfer of foreign examples connected with Frankish-Bavarian overlordship?<sup>156</sup>

Ljudmil Hauptmann, the most vocal advocate of the bondage theory, saw the Alpine Slavs as an anvil hammered in succession by Avars, Croats (i.e. *kosezi*), and Germans. According to this theory, the West-European term for slave (*sclavus*), which corresponds with the word for Slav (*Sclavus*), indicates that the normal condition of the Slavs was slavery,<sup>157</sup> and this is one of the principal arguments against the existence of a numerous free population among the Slavs; especially concerning the Eastern Alps, evidence supporting the theory was

<sup>153</sup> Wolfram 1995, 366; Hardt 1990, 162.

<sup>154</sup> Constantinus Porphyrogenitus, *De administrando imperio*, c. 29.

<sup>155</sup> Blaznik, Grafenauer, Vilfan 1980, 22 ff.; Pohl 1988, 305; Katičić 1985, 309; Vilfan 1996, 190 ff.; Hardt 1990, 161 ff.

<sup>156</sup> An overview of the issue is in Blaznik, Grafenauer, Vilfan 1980, 288 ff.

<sup>157</sup> Hauptmann 1923, 27.

inferred from the equation Slavic *mansus* (*hoba sclavanisca*) = a serf's *mansus* (*hoba servilis*); Bavarian *mansus* (*hoba bavarica*) = free *mansus* (*hoba libera*).<sup>158</sup> The term *sclavus* however started to spread in Western Europe only in the High Middle Ages (the 10th century, or as more recently proposed, the 12th century, and in Italy only in the 13th and 14th centuries, when the trade in slaves of South Slavic origin, especially from Bosnia, peaked); it was related to the contemporary slave trade that relied on areas where Western and Eastern Slavs lived.<sup>159</sup> Moreover, Bogo Grafenauer drew attention to a range of documented data on the Slavs from the wider area of the Eastern Alps, who were included in the feudal order, showing that a free Slavic population existed upon the introduction of feudal order and which consequently must have existed prior to it.<sup>160</sup> Compared to other historiographies, Slovene historians most intensively dealt with this issue and Sergij Vilfan was the last to address it. In his opinion, it was a freedom *sui generis*, which we have to adjust to the notions of patriarchal society. In patriarchal conditions, the position of a group is to be judged by the status of its chiefs, and in this respect *župani* holding two untaxed *mansi* were not included as bondsmen in seigneuries. In line with the free status of a *župan* we must then judge the position of the people subordinated to him, whose dependence was defined in patriarchal terms, not by a lord-subject relationship.<sup>161</sup> The position of a freeman from a *župa* was not necessarily particularly reputable: the Slovene word *prost* has the same meaning as *svoboden* (free), but in other Slavic languages it has a second meaning: common, ordinary. In a certain period, a free (*prost*) man was a common man, meaning that his position was neither high nor uncommon.<sup>162</sup>

<sup>158</sup> Hauptmann 1928. See criticism of this equation in: Grafenauer 1938–1939, 306 ff.; Grafenauer 1955, 1136; Kos M. 1955, 147 ff.; Blaznik, Grafenauer, Vilfan 1980, 323. Hauptmann based his equation on the case of Peterdorf in Styria, where a Slavic *mansus* was 4/5 of a Bavarian *mansus*, but that it is not generally valid is indicated by the two Slavic *mansi* (*sclavonicum massaritium*) that were part of the Freising estate in Škofja Loka and were gifted to the patriarch of Aquileia by the bishop of Freising in 1074. One of them was occupied by a bondsman, and the other by a freeman (*una servo, altera libero possessa*; Gradivo 3, no. 284).

<sup>159</sup> Grafenauer 1960, 45 ff.; Blaznik, Grafenauer, Vilfan 1980, 293; Gestrin 1996, 15 and note 15.

<sup>160</sup> Grafenauer 1952, 482 ff. to which we must add a charter about Kremsmünster from 828, where besides the property tilled by *servi vel Sclavi* special mention is made of *proprietas liberorum Sclavorum* (Regesta Imperii 1/2, no. 850).

<sup>161</sup> Vilfan 1968, 63 ff.

<sup>162</sup> Bezljaj 1995, 127 (s. v. *prost*); Blaznik, Grafenauer, Vilfan 1980, 293.

If the reconstruction of Slavic society as a whole in the pre-feudal era is highly hypothetical, so too is the issue of slaves as its special and lowest class. The term *krš(č)enica* ("christened") for a maid, to which Anton Tomaž Linhart in the late 18th century already drew attention, is often taken as evidence of slaves.<sup>163</sup> The Slavic ancestors of the Slovenes are thought to have used it in reference to Christianised native women, which they enslaved in the course of their settlement in the Eastern Alps, but the term can be explained in a different way.<sup>164</sup> Similarly, the opinion that the slaves of Old Slavic society were prisoners of war is based solely on analogies with other peoples and environments. The most credible argument in favour of the existence of slaves in the Slavic society of the Eastern Alps is the story in the *Conversio Bagoariorum et Carantanorum* about the priest Ingo and his feast, when he invited converted slaves to his table, but not their heathen masters.<sup>165</sup> The motif and language of the story are biblically tinted (quite similar stories exist)<sup>166</sup> and it is a parable illustrating the virtues of Christianity and baptism, as well as the related provision which forbids Christians to dine not only with heathens, but even with catechists.<sup>167</sup> But even if the story about Ingo almost certainly has no historical reminiscences,<sup>168</sup> such a simile would make sense to the Carantanians in the missionary period only if they were really familiar with the term *servus*. Where these slaves worked, whether they were part of *kosez* (noble) manors or perhaps the structure of a *župa*, are issues we can only conjecture about.

<sup>163</sup> Linhart 1791, 330.

<sup>164</sup> The term *krščenica* ("christened") for a maid may be explained in the sense that baptised girls from poor families served with their wealthier godmothers in the villages (Grafenauer 1981, 398).

<sup>165</sup> *Conversio Bagoariorum et Carantanorum*, c. 7.

<sup>166</sup> In an argument about two killed Frankish merchants, King Dagobert's envoy Sicharius sneered at Samo: *Non est possebelem, ut christiani et Dei servi cum canebus amicicias conlocare possint* (Fredegar, *Chronicae* IV 68). On the difference between the *Conversio Bagoariorum et Carantanorum* and Fredegar, see Pohl 1993, 261. When the Bohemian prince Bořivoj and his escort visited the Moravian prince Svetopolk, the host did not consider his heathen guests worthy of sitting at the same table as Christians; he told them to sit on the floor in front of the table, whereupon Bořivoj and his companions let themselves be Christianised on the initiative of Bishop Methodius (MMFH 3, 305 and note 7; Kos M. 1936, 65).

<sup>167</sup> Grafenauer 1952, 492 ff.; Wolfram 1979, 100 ff.

<sup>168</sup> Or so thought Kos M. 1936, 60 ff., especially 65.

*The Organisational Structure*

Things are not much better concerning the issue of the organisational forms and structures in which the above indicated Slavic society lived. The basic unit in which political, social, and legal life unfolded as perceived in the legal sense of the word in the Early Middle Ages was the people or tribe (*gens, rod, ethnos*), which was not a community of shared origin and not bound into it by the same blood, but by a common tradition and basic, even if rudimentary, rules which enabled people to live together.<sup>169</sup> The *ritus gentis* in the Royal Frankish Annals,<sup>170</sup> the *leges et consuetudines Sclavicae gentis* in the Fulda Annals,<sup>171</sup> or the *Slavic customs* in Vita Methodii,<sup>172</sup> and the *Sclavenicę institutiones* in a Carinthian *notitia traditionis* from the early 11th century,<sup>173</sup> are thus terms referring to the law and customs according to which early medieval Slavic peoples lived.

While the tribe of the Carantians was organised as a lordship formation headed by a prince and his family already before the mid 8th century,<sup>174</sup> the organisation of the Slavs south of the Karavanke, who were still under Avar lordship at same time, is unclear. Based on the present state of research and knowledge, the nature of Avar lordship (which we discussed above) over the Slavs of the Sava basin was perhaps comparable to Bavarian (Frankish) lordship over the Carantians: until the introduction of administration by the counts in 828,<sup>175</sup> this lordship generally did not interfere with the internal (tribal) structure and organisation, manifesting itself mainly by taking hostages, consenting to the appointment of a new prince, and the military obligations of the Carantians.<sup>176</sup> That, similarly, entire peoples headed by an *archon* may have lived in the territory of Avar dominion under a khagan, is illustrated by the story of Kuver, recorded in Thessaloniki in the late 7th century (*Miracula s. Demetrii*). It describes the fate of Roman prisoners of war settled in Pannonia, who there mixed with

<sup>169</sup> Wenskus 1961, 14–112; Wolfram 1990, 30; Pohl 1988, 215 ff., especially 219 ff.

<sup>170</sup> *Annales regni Francorum* ad a. 823.

<sup>171</sup> *Annales Fuldenses* ad a. 849.

<sup>172</sup> Vita Methodii, c. 2.

<sup>173</sup> MC 3, no. 205. On *institutio sclauenica*, see Vilfan 1996, 161 ff.

<sup>174</sup> See Štih 1995, 26 ff.

<sup>175</sup> Wolfram 1981, 313 ff.

<sup>176</sup> *Conversio Bagoariorum et Carantanorum*, c. 4 (hostages, agreement); *Annales Mettenses* ad a. 743 (military obligations). On *servitium dei* in c. 4 of the *Conversio Bagoariorum et Carantanorum*, see Wolfram 1979, 85 ff. and Wolfram 1995a, 279.

Bulgars, Avars, and other peoples. After more than sixty years (two generations) had passed since their ancestors were captured by the Avars, they became a new people (*ethnos*) and the khagan gave them a leader called Kuver.<sup>177</sup>

Considering the possibility that the Sava basin Slavs already lived in a formation headed by a prince (or several princes?) under Avar lordship, the central issue of their organisational structure (and that of the Alpine Slavs in general) is that of the *župa*. Regardless of the fact that the *župa* is mentioned in the Slovene territory only from the High Middle Ages onward as the lowest economic-administrative unit within a seignery and as a manifestation of village autonomy (of a neighbourhood, village community),<sup>178</sup> the inclusion of comparative material available on other (especially South) Slavs and backward deduction based on later periods in Slovene history, allows us to conclude with near certainty that the Slavic ancestors of the Slovenes were familiar with the *župa* system (and *župani*) already at the time of their settlement.<sup>179</sup> We can further agree with Vilfan that the *župa* was the population's basic unit one level higher than the family,<sup>180</sup> but all the rest is more or less disputable. How big was a *župa*? What was its internal structure like? How many *župe* were there? What share of the population was organised in *župe*? All these are issues to which there are no unambiguous answers. How great the unknowns are in these questions is well illustrated by the following example: when Sergij Vilfan – certainly one of the greatest experts on the matter – dealt with the issue of *župa* and *župan* in great detail, he came to the conclusion that there were no less than four possible options for the internal gradation of *župa*: the maximalist option assumed one *župan* to have governed several hamlets, but in the minimalist version he was the chief of a single village, composed of members of one large family (*zadruga*).<sup>181</sup>

Concerning the organisational structure of Old Slavic society in present-day Slovene territory in the Early Middle Ages, what we can assume and only very hypothetically is that it was largely organised within a tribe in *župe*, whose basic unit was a large family,<sup>182</sup> and that

<sup>177</sup> Miracula s. Demetrii II 5. On the dating of this story, see Barišić 1953, 126 ff.

<sup>178</sup> See Blaznik, Grafenauer, Vilfan 1980, 35 ff.

<sup>179</sup> Blaznik, Grafenauer, Vilfan 1980, 22 ff., especially 29.

<sup>180</sup> Vilfan 1996, 193.

<sup>181</sup> Vilfan 1968, 58.

<sup>182</sup> The clearest indication of the existence of large families (*zadruga*) among the Alpine Slavs is from D. Arn., no. 181 from 888, who mentions in Maria Rain,



the *kosezi* certainly were not part of the *župa*,<sup>183</sup> and neither were of course – at least in Carantania – the prince's family and its property consisting of manors as the centres of agrarian units.<sup>184</sup> Such manors were also owned by the *kosezi*, if we generalise the reconstruction of a *kosez* manor at the eastern edge of Ljubljana.<sup>185</sup>

The bearers of public authority in such an organised society were thus primarily the prince(s), *župani* and *kosezi*. How authority was exercised is partly illustrated by two expressions belonging to the oldest Slovene legal terminology: *veča* and *pojezda*.<sup>186</sup> *Veča*, which corresponds to the Latin *placitum* and German *Taiding*, was a form of collegiate body and referred to the assembly of a defined group of people, which was not exclusively a judiciary assembly and was in one or another way connected with the bearers of public authority – either under their presidency or with their participation – and served to decide in various public matters. As the word itself indicates, *pojezda* (from *jezditi* – to ride) suggests that a holder of authority rode his territory from one centre to the next and exercised his authority on the spot. The later meaning of the word *pojezda* (e.g. in *urbaria*)<sup>187</sup> and its descriptions suggest that it referred to the arrival of a holder of authority with his escort in a given environment, where he spent a certain period of time at the expense of the local population and collected the duties he was owed, while an assembly of free inhabitants under his chairmanship decided on matters of a public nature.

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Carinthia, a person called *Trebi frater* (=Trebibratr, see Kronsteiner 1975, 76) *cum uxore sua nec non filiis suis uxoribusque filiorum suorum atque cum territoriis omnibusque possessionibus eorum*. On the issue of this forged charter, which was however based on a genuine model, see Wadl 1988, 55 ff. Further indications of *zadruga* among the Alpine Slavs are inferred from D. LD., no. 112, which mentions *servos quinque cum uxoribus et filiis/.../manentes servos XV cum coloniis et uxoribus et filiis*, but the here mentioned children may have been under-age and therefore living with their parents.

<sup>183</sup> The land that was part of the *župa* became royal land with the introduction of Frankish dominion and was the basis for the developing seigneuries. Royal ownership was not so much based on confiscation than on the notion that the sovereign had the disposal of all non-appropriated land, including, or so it appears, all the land that was collectively worked by the *župa*. The only lands considered appropriated were the properties of the free nobles, and only manors, which were among others owned by *kosezi*, met this condition among the Old Slavic agrarian units. See Blaznik, Grafenauer, Vilfan 1980, 94 ff., 108.

<sup>184</sup> The Slovene term *dvor* (manor) for the Latin *curtis* and German *Hof* is attested already in 970 (D. O. I., no. 389): *curtem ad Vduleniduor, lingua Sclavanisica sic vocatum, Theotisce vero Nidrinhof nominatam*.

<sup>185</sup> Vilfan 1966, 209.

<sup>186</sup> See Vilfan 1996, 269 ff.

<sup>187</sup> Urbarji freisinške škofije s. v. *pogesden*.

## CHAPTER TEN

### THE EARLY MEDIEVAL “STATE” AND THE TRIBAL FORMATIONS IN THE SLAVIC SETTLEMENT AREA OF THE EASTERN ALPS

#### *Terminological Issues*

Every attempt to establish which early medieval political formations were “states,” and which criteria justify the use of that term, runs into the same basic problem and that is the definition of an early medieval state. Whoever thinks that it will be easy to find the answer to this question in the quite extensive scientific literature produced by the Slovene and wider former Yugoslav historiography, which researched early medieval Slavic “states,” is in for an unpleasant surprise. These issues were indeed discussed as if the definition of an early medieval state was self-evident and the question itself did not exist at all. Nada Klaić was one of the rare historians who, as early or as late as in 1971, pointed out that Yugoslav historiography had addressed neither the issue of the origin of the “state” nor the definition of the term, even though there had been no lack of opportunities or motives.<sup>1</sup> Her words were however largely ignored. Writing in 1976 on the issue of state formation among the Southern Slavs during the Middle Ages, Ivan Beuc, to quote but one example, dealt with the problem of defining an early medieval state in a single sentence in a footnote, stating that already Friedrich Engels (!) had provided general instructions on how to identify the existence of a medieval state in “The Origin of the Family, Private Property, and the State.”<sup>2</sup> Beuc not even deemed it necessary to explain to the reader that Engels, and with him historical materialism as a whole, saw the state as a means of coercion in the hands of the ruling class to defend itself against the ruled, or as an apparatus for ruling that was alienated from human society when it split into irreconcilable antagonisms.<sup>3</sup> According to this definition, social stratification is the

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<sup>1</sup> Klaić 1971, 142 and note 2.

<sup>2</sup> Beuc 1976, 65.

<sup>3</sup> A formulation of the state from as late as 1988 in Bibič 1988, 384.

*conditio sine qua non* of every state, and this was not a new finding; Marxist theory saw the causes for social stratification in the economic, internal development of the individual social community. Based on this thesis, the Polish historian Łowmiański elaborated criteria that could be used to establish whether a society had already made the transition from a tribal union to a higher quality – a state.<sup>4</sup>

These were the theoretical premises used in Slovenia after the Second World War to re-evaluate the oldest Slovene history, that of Carantania.<sup>5</sup> The reinterpretation of (largely) previously known historical sources sought to demonstrate that the development of Carantania was for the most part nothing but a matter of the internal organic development of its society, and it was among others claimed that “the emergence of a common territorial name (by which is meant Carantanians (!) and not Carantania, note P. Š.), and not a tribal name, was undoubtedly connected with the lordship of the Carantanian prince over the entire territory of the principality, thus providing evidence that the tribal union was already changing into a firmer state organisation.”<sup>6</sup> But this conclusion is false because “Carantanians” was not a territorial name, but a tribal one, explicitly attested in contemporary sources.<sup>7</sup> The emergence of this name cannot be interpreted in the sense that a tribal union was changing into a state organisation, but rather that the new name resulted from a specific ethnogenetic process – the formation of the tribe of the Carantanians. And because early medieval tribes (*gentes*) were not communities of shared origin, but in principle poly-ethnic communities – whether Slavic, Germanic, or steppe nomadic – which were not connected into entities by blood relationship, but by

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<sup>4</sup> Łowmiański 1963, 14–21. The criteria are: hereditary princely lordship, the existence of a princely military force separate from the army of the people, and the existence of public taxes on which the prince himself decided, not the people’s assembly. According to Łowmiański, these criteria testify to the existence of state power in the hands of the prince and separate from the tribal organs, reflected as the result of social stratification and the separation of the ruling class from the common members of the tribe. Cf. Grafenauer 1964, 220 and note 37.

<sup>5</sup> Primarily, but not exclusively Grafenauer 1946, 77 ff.; Grafenauer 1950a, 151 ff.; Grafenauer 1952; Grafenauer 1955, 1125 ff.; Grafenauer 1958–1959, 207 ff.; Grafenauer 1960, 35 ff.; Grafenauer 1963, 19 ff.; Grafenauer 1964, 213 ff.; Grafenauer 1978a.

<sup>6</sup> Grafenauer 1963, 26.

<sup>7</sup> E.g. *Sclavorum gens in Carnuntum, quod corrupte vocitant Carantanum* (Paulus Diaconus, *Historia Langobardorum* V, 22); *Samo nomine quidam Sclavus manens in Quarantanis fuit dux gentis illius* (*Conversio Bagoariorum et Carantanorum*, c. 4); *Baaz de genere Carontania Sclauaniorum* (TF 1, no. 589).

the common tradition and institutions they recognised,<sup>8</sup> the emergence of a new tribal name meant that different ethnical and social groups had fused into a new ethnic community, regardless of the level of their state development.

Even so, interpreting the total affirmation of the Marxist view on the origin of the state in Slovene and Yugoslav historiography after the Second World War as a mere consequence of the fact that Marxism had become the prescribed ideology, would mean to ignore the historiography of the inter-war period and earlier. To explain the origin of the state primarily from its internal societal development was indeed for the most part a reaction to the previously predominant view that reduced the origin of early medieval Slavic states to the influence and role of foreigners or, in other words, to outside forces. The roots of this view can be traced back to the late 18th century and Herder's thesis on the meek Slavic soul and the related inability of the Slavs to engage in state building.<sup>9</sup> This thesis was substantiated by the example of Kiev Russia, where the Normans had indeed played a constitutive role in the origin of the state, but the example was then unduly generalised for the entire Slavic world. An approach in the same vein was the “theory of violence” of Ludwig Gumplowicz, a professor of constitutional law in Graz, purporting that a state emerges from the subjugation of an agricultural tribe by a nomadic tribe. This theory had an enormous impact on the research into the early medieval history of the Eastern Alps,<sup>10</sup> and among others Jan Peisker, Paul Puntschart, Vladimir Levec and in particular Ljudmil Hauptmann used its premises for their own theories. These explanations, which predominantly understood the societies of the Alpine Slavs as two-class societies – in a social as well as in an ethnical sense – in which the ruling class belonged to a different ethnical group than the ruled class, implied of course another thesis: that the organisers of state life among the Alpine Slavs came “from outside.” Criticism – from Alfons Dopsch to Bogo Grafenauer – later revealed how untenable the basic tenets of these theories were.<sup>11</sup> This meant that the causes leading to the formation of early medieval polities had to be re-examined; while historical materialism seemed to

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<sup>8</sup> See note 23.

<sup>9</sup> Cf. Graus 1980, 24.

<sup>10</sup> Kermavner 1960, 778 ff., 906 ff., 1005 ff., 1095 ff.

<sup>11</sup> For a history of the attempts to solve contested issues and theses on the oldest Slovene history, see Grafenauer 1952, 9–68; Vilfan 1968, 45 ff.; Vilfan 1983, 108 ff.

provide an adequate theoretical basis, it also turned out that it was not a generally applicable magic formula, capable of explaining everything based on the principle of the internal “organic” development of a tribe.<sup>12</sup>

As this chapter is going to be too short to discuss in detail the question of what an early medieval state was and how it originated, I propose to reflect on another issue. Is the question about early medieval states perhaps a wrong one? To what extent can one speak of an (early) medieval state? After all, it is a concept unknown to the Middle Ages. The “state” is a term of the political world of the modern age, which became “the universal normative concept for political forms of organization, for all peoples and all periods,”<sup>13</sup> in the 19th century. Is an attempt to define the early medieval state perhaps a projection of modern terms and concepts onto the past? If the general rule holds that a historian should preferably adopt the terminology and concepts he uses from his sources, then the use of the term “state” in reference to the Early Middle Ages is certainly erroneous, and amounts to interpreting old sources with modern concepts – something for which Otto Brunner criticised Georg von Below, the author of one of the most influential works on the German medieval state.<sup>14</sup> Stimulated by Brunner’s reflections, Gerhard Sappok proposed in 1942 to speak of the formation of lordships (*Herrschaftsbildungen*) rather than the founding of states (*Staatsgründungen*),<sup>15</sup> and this certainly corresponds better to the language of the sources and the conditions at that time. Later, Manfred Hellmann also sided with the new terminology.<sup>16</sup> What this means in practice is well illustrated by the case of King Samo. The introduction of terminology that corresponded better to the period in question instantly resolved a question which had dragged on in the literature for many years and was undoubtedly burdened by modern concepts: was the Slavic kingdom led by Samo in the first half of the 7th century – incidentally, Samo’s kingdom is the oldest documented Slavic political community – a state or not? There can indeed be no doubt that this Slavic community, headed by an individual referred to as *rex* in the sources, was structured as a lordship and that the term

<sup>12</sup> Cf. Hellmann 1954, 395; Klaić, 1971, 141 and note 1.

<sup>13</sup> Brunner 1965, 111 ff.

<sup>14</sup> Brunner 1965, 163; Brunner 1956, 1 ff.; Mitteis 1965, 33 ff.

<sup>15</sup> Sappok 1942, 206 ff.

<sup>16</sup> Hellmann 1954, 387 ff.

"lordship formation" (*Herrschaftsbildung*) suits it perfectly. Moreover, this newly introduced term leaves open the question of whether such a lordship resulted from the internal "organic" development of a society or from foreign influence. In the case of Samo, who was a Frank (*natione Francos*)<sup>17</sup> and most likely a merchant trading in weapons,<sup>18</sup> the decisive role of foreign influence is quite obvious.

*Gens and its Power Structure: The Case of the Carantianians*

The basic matrix within which life in the political, social, and legal senses of the word unfolded in the Early Middle Ages was the tribe or people (*gens, rod', ethnos*). However, tribes were not simple structures but very complex formations, as Reinhard Wenskus established in his fundamental work.<sup>19</sup> Extensive, scrupulous research into Germanic,<sup>20</sup> Slavic<sup>21</sup> and steppe-nomadic<sup>22</sup> ethnogeneses, carried out in the past few decades, has clearly shown that these tribes have common features, regardless of their ethnic background.

Most importantly, the research revealed that early medieval tribes were not communities of shared origin, but rather polyethnic communities, connected into entities not by blood ties, but by "nuclei of tradition"<sup>23</sup> and customs, which these heterogeneous groups adopted and recognised as their own.<sup>24</sup> That is why we know e.g. Roman(ized) and Slavic Bavarians, that is Roman(ized) and Slavic members of the legal community defined as Bavarian, to which also the Irishman Virgilius belonged, who was "dragged by the ears" just like the other Bavarians when he testified in legal matters.<sup>25</sup> When King Alboin led the Lombards from Pannonia into Italy in the spring of 568, his polyethnic army was joined by Pannonian and Norican *provincials*, Danubian Suebs, Sarmatians, Bulgars, Heruls, Gepids, and even Thuringians and

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<sup>17</sup> Fredegar, *Chronicae* IV, 48. Concerning the reference to Samo as a Slav in *Conversio Bagoariorum et Carantanorum* cf. Wolfram 1979, 73 ff.

<sup>18</sup> Hellmann 1954, 390 ff.; Pohl 1988, 256 ff.

<sup>19</sup> Wenskus 1961, 14–112.

<sup>20</sup> Wenskus 1961, 458 ff.; Wolfram 1990a.

<sup>21</sup> Wolfram 1979, 70 ff.; Budak 1990, 129 ff.; Katičić 1985, 299 ff.

<sup>22</sup> Pohl 1988.

<sup>23</sup> "Traditionskerne": Wenskus 1961, 653 s. v.; Wolfram 1990, 30; Wolfram 2008, 793 ff.

<sup>24</sup> Wolfram 1990, 30.; Wolfram 1991, 177; Pohl 1988, 215 ff., especially 219 ff.

<sup>25</sup> Wolfram 1990, 22.

Saxons.<sup>26</sup> Whoever left with Alboin turned into a Lombard, and whoever remained in Pannonia became a Slav or Avar. The Avars were a similar polyethnic union that was always open to newcomers and included Gepids, Bulgars, Kutrigurs, and especially Slavs.<sup>27</sup> Archaeological excavations and anthropological research have confirmed that not blood ties, but primarily their costume, as well as weapons and customs, characterised the Avars.<sup>28</sup> And this does not only mean that there were Slavic Avars, but also that there may have been Carantanians with slanted eyes!

The tribe (people) of the Carantanians was a polyethnic formation as well. It was undoubtedly a Slavic tribe – meaning that within the polyethnic union the Slavs were the bearers of the tradition – which consisted of two groups of Slavs who settled in the Eastern Alps from the north and south in the 6th century<sup>29</sup> and further included Croats and Dudlebs as well as indigenous Roman(ized) inhabitants. It is not unthinkable that Avar, Bulgar and Germanic fractions from the former Norican area blended into Carantanians.<sup>30</sup>

The principality of the Carantanians was the oldest early medieval tribal polity that formed in the eastern Alpine region. The Carantanians can, however, not be simply equated with the Slavs who settled in the Eastern Alps in the late 6th century. At that time, today's East Tyrol and Carinthia were generally referred to as *Sclaborum provincia*,<sup>31</sup> the land of the Slavs. In the second quarter of the 7th century, the *marca Vinedorum*,<sup>32</sup> the March of the Wends or Slavs, under its prince, Vallucus, which was probably part of Samo's union,<sup>33</sup> represented a higher level of political organisation. Fredegar, the source of this information, however still refers to the inhabitants of Vallucus's land with the "collective tribal name"<sup>34</sup> of Wends (Slavs), not with an "individual"

<sup>26</sup> Wolfram 1987, 81.

<sup>27</sup> Pohl 1988.

<sup>28</sup> Pohl 1988, 218, 219. Ammianus Marcellinus, *Rerum gestarum libri 31*, using the case of the Alani, explains that a *gens* is identified *ob mores et modum /.../ vivendi, eandemque armaturam* (quoted after Bracher 1990, 137).

<sup>29</sup> Grafenauer 1970–1971, 17 ff.

<sup>30</sup> Cf. Grafenauer 1958–1959, 207 ff.; Wolfram 1985, 130, 137 ff.; Wolfram 1979, 89.

<sup>31</sup> Paulus Diaconus, *Historia Langobardorum* IV 7; Kos M. 1985, 161 ff.; Bertels 1987, 92.

<sup>32</sup> Fredegar, *Chronicae* IV 72. Fredegar uses the phrase *Sclavi coinomento Winidi* in several places in his chronicle (IV 48; IV 68); see Grafenauer 1950a, 154.

<sup>33</sup> Hauptmann 1915, 245 ff.; Wolfram 1979, 73 ff.; Bertels 1987, 104 ff.

<sup>34</sup> Wolfram 1979, 89; "gentiles Kollektivum," meaning a collective tribal name.

tribal name – which probably did not yet exist – as he does in reference to e.g. the Sorbs in the north, who had also joined Samo’s tribal union.<sup>35</sup> A clearer indication of a specific ethnic identity and political organisation is given by the geographical term that Paul the Deacon used for 664, *Carantanum*, where a specific *gens Sclavorum* lived,<sup>36</sup> but even here the question arises of whether Paul the Deacon perhaps used terms from his own time in the late 8th century, when we wrote his *History of the Lombards*, to describe older events.<sup>37</sup> In any case, the Carantanian ethnogenesis was concluded before the mid 8th century, when the Carantanians, led by their first prince known by name, Borut, clearly appear on the scene of history around 740. The fully consolidated authority of his family, which had a hereditary right to princely lordship, unshaken by the radical political and religious transformation of the Carantanians under Borut’s leadership, suggests that Borut cannot have been the first Carantanian prince and founder of the ruling dynasty. We may then surmise that the ethnogenesis of the Carantanians was concluded at least one generation earlier, around 700. The process lasted at least one generation and the time is consistent with Paul the Deacon’s reference to a specific Slavic tribe living in Carantania in the second half of the 7th century.

Without the existence of some constitutional forms (*Verfassungsformen*), however rudimentary they may have been, an ethnic identity expressed in the name of a tribe cannot have existed. The tribe

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<sup>35</sup> Fredegar, *Chronicae* IV 68: *Dervanus dux gente Surbiorum, que ex genere Sclavinorum erant*. See Schlesinger 1960, 76, 77.

<sup>36</sup> Paulus Diaconus, *Historia Langobardorum* V, 22.

<sup>37</sup> Wattenbach, Levison 1953, 212 ff.; Grafenauer 1988d, 297–299; Wolfram 1979, 76. Even so, Paul’s reference to *Carantanum*, the oldest undisputed mention of the Carantanian name, certainly dates back to the 8th century. The anonymous Ravenna geographer mentions *Carontani* in his *Cosmography*, assumed to have been written around 700, but it is quite possible that the name is a later interpolation. Similarly, *Conversio Bagoariorum et Carantanorum*, c. 4, associates the Carantanian name with the first half of the 7th century, but the text was written in Salzburg in 870. Bavarian annals report for 772 that Tassilo III defeated the *Carentanos* (*Annales ex annalibus Iuvavensibus antiquis excerpti*, 732, 733) but the record is not contemporary with the event. The *Annales s. Emmerammi maiores Ratisponensis* were probably written around 823, and the *Annales Iuvavenses maximi* in their preserved form are later excerpts from the lost original: see Lhotsky 1963, 146. Another group of annals from the Salzburg area (*Auctarium Garstense*, *Annales Admuntenses*, *Annales s. Rudberti Salisburgensis*), referring to Tassilo’s victory over the Carantanians in 772, is of an even later date (Lhotsky 1963, 194 ff.). Carantania is first mentioned in documentary sources in the well-known charter issued by Charlemagne from 811 (*D. Kar. I.*, no. 211), which determined the Drava as the border river between the Salzburg and Aquileian archbishoprics.



(people) of the Carantanians was organized as a lordship formation headed by a prince by latest the turn of the 8th century. Such a tribal prince, usually called *dux gentis* in Frankish sources, was a king (*rex gentis*) by his position. This is also indicated by the Slavic word for prince – *knjaz* – which denoted such a Slavic tribal *dux* of the Early Middle Ages:<sup>38</sup> The word is a borrowing from the German \**kuningaz*, which meant the tribal king of a “small area.”<sup>39</sup> In Frankish sources, the title *rex* was indeed all but reserved for the Frankish rulers.<sup>40</sup> Eight princes of the Carantanians from the second half of the 8th century and first third of 9th century, who ruled the principality, are known to us by name. At that time Carantania was a tributary or client principality subject to the Franks or Bavarians.<sup>41</sup> Internally, however, the Carantanian principality preserved its tribal constitution, as clearly illustrated by the fact that the Carantanians – probably with the ritual of enthronement – handed over lordship to the new prince themselves and thus legitimised him, although with the permission of the Frankish king. They, or rather their class with political power (*populi*),<sup>42</sup> first made Cacatius (Gorazd) and later Hotimir princes.<sup>43</sup> As early as the middle of the 8th century, the Carantanians were thus among the first<sup>44</sup> to adopt a political model that combined a tribal constitution with the lordship of the Frankish king. Later, in the 9th century, this model became common at the eastern and south-eastern borders of the Frankish Empire. To quote just a few examples: the Guduscans (Dalmatian Croats) were given a new prince after the death of Borna

<sup>38</sup> See Vita Methodii, c. 9, 10; Vita Constantini, c. 14, 15.

<sup>39</sup> Skok 1972, 109; Wenskus 1961, 320; Wolfram 1970, 6 ff.

<sup>40</sup> Wolfram 1979, 81 ff. Schlesinger 1960, 78 similarly pointed out, referring to the Sorbs, that the shifts in the terminology between *dux* and *rex* do not reflect differences in meaning.

<sup>41</sup> Subject to the Bavarians from 763 to 788.

<sup>42</sup> *Populus* has several meanings. It may mean the Christian people (believers) of a tribe (*populus gentis illius*; *Conversio Bagoariorum et Carantanorum*, c. 5; see Wolfram 1979, 90), but may also refer to its politically decisive class (see Krahwinkler 1992, 228 and note 154). In the present case, *populus* should probably be understood in the second sense. So already Grafenauer 1952, 510 and note 563; Kos M. 1985, 189.

<sup>43</sup> *Conversio Bagoariorum et Carantanorum*, c. 4: *illi eum ducem fecerunt; ducatum illi dederunt*.

<sup>44</sup> In the first third of the 7th century, that is before they joined Samo's tribe union, the Sorbs were already subjected to Frankish dominion (see note 35). Concerning the Veleti, Dragovit stated in front of Charlemagne in 789 that his dignity was granted to him *iam olim ab invicto principe Carolo*, most likely Charles Martel. See Fritze 1960, 155; Hellmann 1967, 714.

in 821 at the request of the (political) *populus* and with the permission of Charlemagne.<sup>45</sup> In 805, the khagan of the Avars between the Raab and Danube in Upper Pannonia was given *summam totius regni iuxta priscum eorum ritum* with the permission of Charlemagne, and this re-established *honor antiquus, quem caganus apud Hunos habere solebat*.<sup>46</sup> Visan, the prince of the Abodrites, who had very close ties with the Franks based on their joint battles against the Saxons, is referred to in the Lorch Annals of 795 as *vassus domini regis*.<sup>47</sup> *Potestas* or *totius regni summa* was given *a populo* to the prince of the Veleti *secundum ritum gentis illorum*, but it was probably Louis the Pious who had the last word in the dispute that arose about who was entitled to this lordship.<sup>48</sup>

The *ritus gentis* in the Frankish Royal Annals, the *leges et consuetudines Sclavicae gentis* in the Fulda Annals,<sup>49</sup> or the *obyčaji Slověnškyi* ("Slavic customs") in Vita Methodii,<sup>50</sup> and the *Sclauenicę institutiones* in a Carinthian *notitia traditionis* (donation record) from the early 11th century<sup>51</sup> are thus terms referring to the law and customs according to which these tribal principalities lived. These were then the constitutional forms without which we cannot imagine the identity of a tribe. With few exceptions,<sup>52</sup> we have no specific knowledge of this tribal law. Political changes related to Frankish expansion led more and more to the exercising of new legal norms, in addition to tribal law. The middle of the 8th century saw great changes in the life of the Carantanians following their subjugation to Frankish overlordship and the start of Christianisation, which undoubtedly altered their tribal constitution. The administrative reform implemented in the southeast of the Frankish Empire in the third decade of the 9th century, when tribal rule was replaced by the administration of a count, was to have even more radical consequences. Nevertheless, in the early 11th century (1001–1018) a *notitia traditionis*, marking the foundation of the convent of St. Georgen am Längsee in Carinthia, still distinguished

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<sup>45</sup> *Annales regni Francorum* ad a. 821: *Interea Borna dux Dalmatiae atque Liburniae defunctus est, et petente populo atque imperatore consistente nepos illius nomine Ladasclavus successor ei constitutus est*. See Katičić 1990a, 73.

<sup>46</sup> *Annales regni Francorum* ad a. 805. See Deer 1967, 774 ff.; Pohl 1988, 322 ff.

<sup>47</sup> Fritze 1960, 154; Hellmann 1967, 715 ff.

<sup>48</sup> *Annales regni Francorum* ad a. 823.

<sup>49</sup> *Annales Fuldenses* ad a. 849.

<sup>50</sup> Vita Methodii, c. 2.

<sup>51</sup> MC 3, no. 205.

<sup>52</sup> See Mal 1953, 118 and note 30; Mal 1961, 34 ff.; Vilfan 1968, 35 ff.

between witnesses under Bavarian (*testes tracti per aures*) and Slavic (Carantanian) tribal law (*Sclauenicę institutionis testes*).<sup>53</sup> The Slavic (Carantanian) tribal law mentioned here must be considered as a relic of Carantania's former tribal constitution.

It was typical of an early medieval tribe that it was ruled by a prince, and equally typical that this prince never stood alone, but that he was a member of a special, ruling dynasty. The role of this ruling family – *stirps regia, genus ducale* – is well known among the Germanic tribes.<sup>54</sup> That the ruling dynasty occupied a special position is, however, far from limited to the Germans and notions about the special power or exceptional nature of a certain family were also common elsewhere. A reflection of these ideas about the special nature of the ruling dynasty is connected with the right to inherit lordship within the family. Here we must point out that the principle of hereditary lordship was equally common among the Slavs. In the absence of older data, relevant information is provided by sources from the 9th and 10th centuries. The Moravians were practically ruled by a single dynasty from their appearance on the scene of history in the 830s<sup>55</sup> until the fall of their "Great Moravian Empire" in the early 10th century.<sup>56</sup> Indications of hereditary princely lordship are also found in the Bohemian area in the mid 9th century.<sup>57</sup> After the death of the old prince of the Guduscans (Dalmatian

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<sup>53</sup> MC 3, no. 205. Another *notitia traditionis*, written on the same parchment, mentions *testes tracti per aures* and *testes Sclauigenę*. See Mal 1961, 37; Vilfan 1968, 83.

<sup>54</sup> Wenskus 1961, 420 ff.

<sup>55</sup> They are first mentioned in 822, in the *Annales regni Francorum*; see Graus 1980, 154.

<sup>56</sup> Louis the German, the king of East Francia, twice intervened decisively in the transfer of lordship from one member of a dynasty to another: first in 846, when Rastislav succeeded Moimir, and later in 870, when Svatopluk replaced Rastislav (for both events, see *Annales Fuldenses* ad. a. 846, 870); the right of the dynasty to lordship was, however, not endangered and the Moravians themselves held that only members of Moimir's family were entitled to lordship. When Carloman imprisoned Svatopluk in 871, the Moravians were indeed convinced that their prince had been killed and under threat of death forced the priest Sclagamar (Slavomir), Svatopluk's relative (*eiusdem ducis propinquus*), to assume lordship. When Svatopluk returned, he was immediately reinstalled in power (*Annales Fuldenses* ad a. 871; Graus 1965, 31).

<sup>57</sup> The *Annales Fuldenses* ad a. 857, report that the Bavarian army invaded Bohemia and occupied the *civitas* of prince Wiztrach and expelled his son, *qui tyrannidem tunc in ea exercebat*, who fled to Rastislav. The new prince was not just anybody: Louis the German appointed in his place the brother of the expelled prince. In the 10th century the Přemysl dynasty established itself as the undisputed ruling dynasty in Bohemia, after eliminating all rivals for lordship; see Graus 1965, 30; Graus 1980, 51 ff.; 204–207.

Croats) in 821, a nephew of the deceased was made the new prince *petente populo atque imperatore consentiente*.<sup>58</sup> According to the Chronicle of the Priest from Dioclea (Duklja), Dioclea was ruled from Late Antiquity to the High Middle Ages by a single dynasty.<sup>59</sup> In the 9th century, the ruling dynasty was entitled to lordship among the Polabian Slavs in the north. A similar right is suggested among the Abodrites of the Charlemagne era, the late 8th and early 9th centuries,<sup>60</sup> and the same is true of the Veleti in the corresponding period.<sup>61</sup> Much earlier, in the mid 8th century, data are available that the tribe of the Carantanians was ruled by such a *genus ducale*, and that it was self-evident that princely authority was hereditary, not only from father to son, but within the whole family.<sup>62</sup> In Wolfram's opinion it is therefore highly likely that a princely dynasty, whose first known member was Borut, ruled the Carantanians at least one generation before Borut, around 700.<sup>63</sup> The last identified member of this Carantanian ruling dynasty was Hotimir. After his death in 769, Carantania was engulfed by the third and most violent uprising, quelled by a direct military intervention under Tassilo III in 772.<sup>64</sup> It is quite possible that one of the causes of the uprising was the extinction of the ruling Carantanian dynasty. The *Conversio Bagoariorum et Carantanorum* does not tell us anything about the family ties of the new prince, Waltunc, and the only evidence we have in that respect is his name.<sup>65</sup>

Belonging to the ruling dynasty did not, however, provided no sufficient basis for a ruler's authority. It was merely a precondition for attaining the ruler's position. In his function of prince, a member of the ruling dynasty not only headed the tribe but was also far above all

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<sup>58</sup> *Annales regni Francorum* ad a. 821.

<sup>59</sup> *Ljetopis popa Dukljanina*, 39 ff. This was of course pure imagination. There was no dynasty that ruled Dioclea from Late Antiquity until the High Middle Ages (35 generations!). But the very idea was an important constitutive element legitimising the Dioclea rulers of the second half of the 12th century.

<sup>60</sup> Fritze 1960, 154.

<sup>61</sup> Hellmann 1960, 104 ff. The first known king of the Veleti, Dragovit, whose lordship was passed on within his family, and who may have been the founder of the dynasty, surpassed the other Veleti *regules* by his *nobilitate generis et auctoritate senectutis*; *Annales regni Francorum* ad a. 789.

<sup>62</sup> *Conversio Bagoariorum et Carantanorum*, c. 4; Vilfan 1968, 62.

<sup>63</sup> Wolfram 1991, 178 ff.

<sup>64</sup> *Conversio Bagoariorum et Carantanorum*, c. 5.

<sup>65</sup> Based on the similarities between the name *Wallucus* from the 7th century and *Waltunc* from the last third of the 8th century, Grafenauer 1964, 215 ff., did not exclude the possibility that from the 630s onwards Carantania was ruled by the same dynasty as in the 8th century, and this is indeed quite feasible.

his relatives. Access to this outstanding position was connected with specific ceremonies and symbolic acts that finally made one a prince. Everywhere around Europe the prince was installed in his dignity with a special ceremonial act.<sup>66</sup> In these rituals two principles were combined – the hereditary and elective principles – and these determined the election of rulers throughout the Middle Ages. The symbiosis of these two principles is also attested in the case of Carantania. That the Carantanian princes were enthroned is a highly probable assumption and it is one of the earliest (the earliest in the Slavic world)<sup>67</sup> examples of such a ritual, in which – as a description of the enthronement of Bohemian princes confirms<sup>68</sup> – the installation on the stone throne was the decisive symbolic act that legitimised the lordship of the individual prince. The throne of the Carantanian princes, the Prince's Stone, is assumed to have originally stood at Karnburg, the seat of the Carantanian princes, and is “according to credible historical sources the oldest used and preserved symbol of lordship in the entire Eastern Alps.”<sup>69</sup>

If the analogies with Carantania's neighbouring areas carry any weight, then it is highly likely that the Carantanian prince also possessed certain insignia, which symbolically emphasised his special position and power. Among the northern neighbours, the Bavarians, and their ruling dynasty of the Agilulfings, such an insignia was a sceptre or staff which ended in a human head at the top.<sup>70</sup> Among the Lombards a “crown” has been attested for the period before the end of the 6th century.<sup>71</sup> A crown and sceptre were also the ruler's symbols (though later) among the Croats.<sup>72</sup> And among the Bohemians the

<sup>66</sup> Graus 1965, 32 ff.

<sup>67</sup> *Conversio Bagoariorum et Carantanorum*, c. 4. See Grafenauer 1952, 69 ff.

<sup>68</sup> Schmidt 1978, 439 ff.; Grafenauer 1952, 233 ff.

<sup>69</sup> Wolfram 1991, 179.

<sup>70</sup> When Tassilo III submitted himself to Charlemagne at Lechfeld in 787, he not only surrendered the duchy of Bavaria and thirteen hostages, including his son, and swore fealty, but he also handed over his sceptre. The transfer of the sceptre to a Carolingian foreigner by family and tribe symbolically meant that Tassilo personally renounced lordship and, moreover, renounced the right the Agilulfings had to lordship over the Bavarians, and this effectively sealed the fate of the ruling dynasty. The best information on the events of 787 is from the *Annales regni Francorum*, but the transfer of the sceptre is only mentioned in *Annales Nazariani*, 43: *et reddidit ei cum baculo ipsam patriam, in cuius capite similitudo hominis erat.*

<sup>71</sup> Menis 1990, 96 (so called Agilulf's plate), 100 (Teodelinda's crown).

<sup>72</sup> Depicted in a relief from an 11th-century baptistery in Split, which shows the ruler sitting on the throne with a crown on his head and holding a cross (sceptre?) in his hand. In 1075 Zvonimir was *per vexillum, ense, sceptrum et coronam inuestitus atque constitutus rex*; see Priručník izvora hrvatske povijesti, 268.

ruler’s symbols were a spear (as a symbol of St Vaclav) and a special ducal cap (mitre).<sup>73</sup>

Rituals and insignia were but external signs symbolising princely lordship. At the basis of this lordship there had to be real power. We should not imagine this real power in abstract terms, but quite concretely – in the form of a group of people organised in a certain way, to which loyalty was a central category and which made it possible for the prince to govern. This institution was the prince’s retinue (*comitatus*, *Gefolgschaft*). The Slavic name for it was *družina*.<sup>74</sup> It was an ancient form of organisation, known in the Germanic world,<sup>75</sup> and quite common, though not attested everywhere, among the Slavs.<sup>76</sup> This again demonstrates that early lordship formations had roughly the same structural organisation, regardless of whether they were ranged into the Germanic or Slavic world. If we limit ourselves in this paper to the Slavic world between the Upper Adriatic Sea and the Bohemian Basin, there are a number of more or less clear examples attesting to the importance of the *družina* in the structure of early medieval tribes defined as Slavic. One of the most telling examples is the description in Frankish Royal Annals of the battle between the Guduscans under prince Borna and Louis (Ljudevit Posavski), prince of Lower Pannonia at the Kolpa River in 819. According to this description, the Guduscans deserted Borna upon the first clash and he was saved thanks to the intervention of his “praetorians” who protected him; returning home Borna again subjugated the Guduscans.<sup>77</sup> A precise analysis by Radoslav Katičić showed that the “*praetoriani sui*” in the Frankish Royal Annals – the term reflects the classical education of the writer of the Annals and the spirit of the Carolingian renaissance – referred to the prince’s military retinue or *družina* as it is called in the Slavic terminology. This report again clearly shows that, in addition to the prince’s retinue on which Borna could wholly rely, a tribal army of the Guduscans existed, which however deserted the prince.<sup>78</sup>

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<sup>73</sup> Graus 1965, 35.

<sup>74</sup> Katičić 1990a, 78 ff.; Lübke 2001, 254 ff.

<sup>75</sup> See e.g. Wenskus 1961, 346 ff.

<sup>76</sup> See e.g. Graus 1965, 39 ff.

<sup>77</sup> *Annales regni Francorum ad a. 819: Borna vero dux Dalmatiae cum magnis copiis ad Colapium fluvium Liudewito ad se venienti occurrens in prima congressione a Guduscanis deseritur; auxilio tamen praetorianorum suorum protectus evasit.*

<sup>78</sup> Katičić 1990a, 68 ff.

To mention another example: Pribina's power rested on his military retinue. Or at least that is how the report in the *Conversio Bagoariorum et Carantanorum* is usually interpreted, according to which Pribina, after he was driven out of Nitra by Moimir, first fled across the Danube to Frankish imperial territory and to the prefect of the Bavarian Eastern prefecture, Ratbod. When the two came into conflict, Pribina fled further to the Bulgars *cum suis, et Chozil filius eius cum illo*.<sup>79</sup> Pribina's *sui* must be probably read as his military retinue,<sup>80</sup> which accompanied him not only on his escape from Moimir, but also on the long journey that took him first to the Bulgars, later to the Slavic prince Ratimir, the likely successor of the rebellious prince Louis between the Drava and Sava, then to the Frankish count Salacho in present-day Slovene territory, and finally to Pannonia north of Drava and the environs of Lake Balaton. Agnes Sós associated this social group with a group of graves, excavated as part of a cemetery in the former Moosburg (Récéskut), Pribina's Pannonian capital and castle.<sup>81</sup>

The Fulda Annals use phrases similar to those applied by the author of the *Conversio Bagoariorum te Carantanorum* to Pribina's escort when they report that fourteen *ex ducibus Boemanorum cum hominibus suis*,<sup>82</sup> were baptised in Regensburg in 845, and this may be interpreted as princes including their retinues. Referring to a somewhat later period, the existence of the institution of the prince's *družina* is quite evident in the Bohemian area.<sup>83</sup> It is not explicitly attested among the Moravians and Carantanians, but it is inconceivable that these two polities, which matured so rapidly in the Slavic world, did not have this institution. It is therefore likely that the Slavic term for military retinue – *družina* – is first documented in the Pannonian-Moravian area in the late 9th century.<sup>84</sup> Bogo Grafenauer demonstrated most convincingly that the *družina* of the Carantanian prince consisted of the otherwise rather enigmatic *kosezi* (Germ. Edlinger) and that their decisive role in the ritual of enthronement – admittedly documented much later – is most easily understood if based on their military role and the direct

<sup>79</sup> *Conversio Bagoariorum et Carantanorum*, c. 10.

<sup>80</sup> Hellmann 1954, 392; Wolfram 1979, 128; Wolfram 1987, 355; Štih 1994, 209; Lübke 2001, 252.

<sup>81</sup> Sós 1973, 121 ff.; see also Štih 1983, 198.

<sup>82</sup> *Annales Fuldenses* ad a. 845.

<sup>83</sup> Graus, 1965, 42.

<sup>84</sup> *Vita Constantini*, c. 8.

contact with the prince that were typical of the *družina*.<sup>85</sup> And then there is the fact that the Carantanian prince Hotimir quelled two uprisings in Carantania with his own forces, without assistance from outside (as in the case of the third uprising in 769–772 after Hotimir's death); this suggests that he must have had at his disposal a military force that was unswervingly loyal to him, as well as entirely dependent on him.<sup>86</sup> As the above-mentioned examples show, this can only have been the prince's *družina*.

Among the early medieval Slavic tribes the higher social class included the prince, his family (dynasty), his military retinue, and a group that is traditionally called the nobility, but the term may not be quite correct.<sup>87</sup> Referring to Carantania, the *Conversio Bagoariorum et Carantanorum* reports on the existence of this social group using the term *principes* and, influenced by Frankish terminology, *comites*.<sup>88</sup> Later data from Salzburg, Freising and Brixen *notitiae traditionum* are more revealing and concrete as they bear witness to the existence of a Carantanian nobility before the end of the 8th century, and even more convincingly to its survival into the Frankish era. A Freising *notitia* from 830 reports that a certain *Baaz de genere Carontania Sclavaniorum* gifted to the Freising church a hereditary estate he owned in Bavaria.<sup>89</sup> According to Michael Mitterauer's well founded arguments, the person in question was probably a descendant of one of the hostages who had to accompany the son and nephew of the Carantanian prince to Bavaria around 743. Since two members of the princely dynasty were among the hostages, one may presume that the other hostages were also from Carantania's highest social class. Unlike Cacatius (Gorazd) and Hotimir, however, Baaz's ancestor did not return to his homeland, but remained in Bavaria and probably through marriage

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<sup>85</sup> Grafenauer 1952, 499 ff. A survey of the status of the research including the basic literature until 1978 is in Vilfan 1980, 288 ff.

<sup>86</sup> Grafenauer 1964, 217.

<sup>87</sup> Graus 1973, 470.

<sup>88</sup> *Conversio Bagoariorum et Carantanorum*, c. 7, 8. C. 13 also mentions other persons in Cozel's Pannonia – obviously from the highest class – who had estates *in proprium* or *in proprietate*; Cf. Kos M., 1936, 61. The social differentiation in Carantania is also illustrated by the story about Ingo in the 7th chapter of the *Conversio Bagoariorum et Carantanorum* which mentions on the one hand *servi*, and on the other *qui eorum dominabantur*. What makes the reference so interesting is that it does not use the term *nobiles* or *domini* for this ruling class, as one would expect. The writer of the *Conversio* expressed himself in a literary way instead of using accurate technical, legal terms; see Klebel 1960, 685.

<sup>89</sup> TF 1, no. 589.



came into possession of an estate in Bavaria, which Baaz then donated to Freising in 830.<sup>90</sup> A similar example is that of the Carantanian Slav with the Greek name Georgius, probably his baptismal name, who married into the noble family of Witagowo, the count of Carantania around 860 (the family, whose members ranked among the Frankish imperial aristocracy in the 8th and 9th centuries, was probably of Roman(ized) extraction and from the wider area of Trier; in the course of several generations the family moved to the Mid-Rhine Valley, Bavaria, and finally Carantania).<sup>91</sup>

These examples show not only that the Carantanian nobility survived into the Frankish era, but above all that there were groups of people among the Slavs, which the nobility of their neighbours considered as their equals by status, accepted them in their midst, and established family ties with them.<sup>92</sup> Individual noble families and groups intermarried regardless of their affiliation to different tribal and legal communities, thus expanding their power, influence, and importance. Pribina, the Slavic prince of Nitra, also belonged to this circle. When he fled to Franks, he was welcomed in line with his status and introduced to the King of East Francia, Louis the German, the grandson of Charlemagne.<sup>93</sup> His excellent relationships with the Frankish-Bavarian aristocracy may well have derived from Pribina's connection with the Bavarian Wilhelminer, the presumed family of his wife (and mother of Kocel).<sup>94</sup>

<sup>90</sup> Mitterauer 1960, 722.

<sup>91</sup> Mitterauer 1960, 693 ff.

<sup>92</sup> In 902/903 a *venerabilis vir Joseph* is mentioned, who gifted the Church of Freising an extensive estate (TF 1, no. 1037). The names of his numerous retinue attest that he was a Christianised Slav, whose reputation and social status must have been very high, as the Freising source grants him titles equalling a duke's. The area of his lordship lay north of the Danube, and the archaeologically well documented hillfort of his seat towered above the Kamp river (Gars-Thunau): see Wolfram 1987, 353; Wolfram 1990, 148; Brunner 1994, 31 ff.

<sup>93</sup> *Conversio Bagoariorum et Carantanorum*, c. 10.

<sup>94</sup> This hypothesis is based on three facts: 1.) that the name of Pribina's son Kocel is short for the Frankish-Bavarian name Cadaloh (Cf. Grafenauer 1952–1953, 182, 183); 2.) that Kocel bequeathed his heritage (*haereditas*: MMFH 3, 51) in an area where property was controlled by the Wilhelminer; the most feasible explanation would be that he had come into possession of the estate through his mother from the Wilhelminer family; and 3.) that (probably in 827–828) Pribina, while still a pagan and before he fled to the Franks, had a church built and consecrated in Nitra (*Conversio Bagoariorum et Carantanorum*, c. 11), which may well have been intended for his Bavarian, Catholic wife. See Mitterauer 1963, 104 ff., 178 ff.; Wolfram 1979, 128 and note 57.

Carantania – to which the present chapter has been largely limited because it is conveniently documented in the sources – thus had structures which make it quite comparable to the Slavic tribes at the eastern and southeastern Frankish borders.<sup>95</sup> However, identical or at least similar institutions are also found among the Germanic peoples of the Early Middle Ages. The case of Carantania provided further confirmation of František Graus’s finding that ethnic criteria, in the sense of inherently Germanic or Slavic features, played no role in the formation of lordship entities (states) in the wider Central-European area in the Early Middle Ages.<sup>96</sup>

*Ethnogenesis in the Embryonic Phase: The Case of the Carniolans*

The principality of the Carantanians was, however, not the only tribal polity formed in the Slavic settlement area of the Eastern Alps in the Early Middle Ages. Its borders roughly corresponded with the borders of a Roman province *Noricum mediterraneum*, and this means that almost the entire territory of present-day Slovenia remained outside the borders of Carantania, including, most importantly, the Sava Valley, which was separated from the Carantanian area by the mountain range of the Karavanke. At that time, this geographical barrier was also the political border and it took until the Ottonian rule in the second half of the 10th century – when we can no longer speak of Carantania, but rather of Carinthia as a duchy of the German Empire – before the lordship of the Carinthian duke extended over the Slovene Sava Valley,<sup>97</sup> which was not covered by the name of Carantania.

The area of the Sava Valley in Slovenia was known in the Early Middle Ages by the name *Carniola*. The name, derived from the territorial name *Carnia*, means nothing more than “Little Carnia.” The ancient homeland of the Carnians, *patria Carnium*, lay on the other side of the continental watershed, in the mountainous world north of the Friulian plain. Carniola is mentioned as *patria que dicitur Carneola* by the anonymous geographer from Ravenna,<sup>98</sup> and Paul the Deacon

<sup>95</sup> As Kos M. 1985, 182 ff. already established.

<sup>96</sup> Graus 1963, 265 ff.

<sup>97</sup> Klebel 1960, 676 ff.; Grafenauer 1977, 149 ff.

<sup>98</sup> Ravennatis anonymi Cosmographia et Gvidonis Geographica IV 21, IV 22, IV 37.

refers to it as *Carniola, Sclavorum patria* at the end of the 8th century (but describing events from before the mid 8th century).<sup>99</sup>

Unlike the Carantanians, the Slavs of the Sava Valley south of the Karavanke Mountains, which belonged to the Avar khaganate for almost the entire 8th century, had a less developed political organisation and no individual ethnical identity (yet): from the Friulian viewpoint, Carniola was a land inhabited in the mid 8th century by people they referred to with the collective tribal name of *Sclavi* – Slavs. Only the fall of the Avar khaganate, a supra-regional polyethnic community uniting a range of peoples, led to intensive stratification on its ruins, where Slavic and other fractions started to link up into new local and regional communities. New peoples (tribes) started to form, among them the Bohemians, Moravians, Guduscans, Timocians etc., and with them new tribal identities.<sup>100</sup> The same process unfolded in the Sava Valley, where the Frankish Royal Annals mention Carniolans (*Carniolenses, qui circa Savum fluvium habitant*) in 820.<sup>101</sup> This single reference in the annals to the tribal name of the inhabitants of the Sava Valley bears witness to the ethnogenetic process that enfolded in the area in the late 8th century, and by the first two decades of the 9th century had advanced to the degree that a specific ethnical name for its inhabitants had become established. This is how, like elsewhere among many of the Slavs of the former Avaria, a new people (*gens*) started to form. The process unfolded in such a way that the inhabitants of Carniola, who as mentioned above were still referred to by the collective tribal name of Slavs in the mid 8th century, had acquired an individual tribal name (*Carniolenses*) just two generations later; as with the Carantanians, their name was derived from the land (*Carniola*) they inhabited.<sup>102</sup> And again, in a manner similar to the Carantanians, the Carniolans had polyethnic roots, but they too were a Slavic people in the eyes of outside observers and to their contemporaries Carniola was a Slavic homeland. Deriving the tribal name from the land's name, which was not Slavic – again, just as with the Carantanians – they associated it with the (political) tradition of the area that extended as far back as the *Alpes Iuliana* of Late Antiquity, the precursor of *patria Carneola*, mentioned by the anonymous Ravenna geographer.<sup>103</sup>

<sup>99</sup> Paulus Diaconus, *Historia Langobardorum* VI 52, V 22.

<sup>100</sup> Štih 1996b, 17.

<sup>101</sup> *Annales regni Francorum* ad a. 820.

<sup>102</sup> Štih 1996b, 14 ff.; Štih 2001, 35 ff.; Krahwinkler 2000, 417 ff.

<sup>103</sup> Šašel 1970–1971, 33 ff.

All that can be said about the territory inhabited by Carniolans is that it certainly included the area along the Upper Sava and that it bordered with Friuli to the west.<sup>104</sup> Whether it perhaps also included the Sava Valley in Lower Styria and the Savinja river basin, as Ljudmil Hauptmann thought, can be neither confirmed nor refuted.<sup>105</sup> The centre of Carniola certainly was at Kranj, called *Carnium* in the Early Middle Ages and the heart of the Upper Sava Valley.<sup>106</sup> Its central position is documented as early as the 6th century by the biggest cemetery dating from the Migration Period in Slovenia<sup>107</sup> and by a reference from the anonymous Ravenna geographer: of the twenty-five places (*civitates*) he lists in *Carneola* or *Carnech patria*, *Carnium* is ranked first and it is the only place that can be identified and localised.<sup>108</sup> That it had an older tradition can also be inferred from the importance Kranj had in the High and Late Middle Ages. In the 11th century it was denoted a *munitio* (fortress) and carried the same name (*Chreina*)<sup>109</sup> as the March it lay in (*Carniola/.../quod vulgo Creina marcha appellatur; in regione vulgari vocabulo Chreine*)<sup>110</sup> and whose centre it was. Kranj or *Chrainburch*, which means as much as “castle in the march” was at first the seat of the margrave and later a fief of the holder of margravian lordship in Carniola.<sup>111</sup>

The tribal polity of the Carniolans thus started to form in the centre of present-day Slovene territory at the turn of the 9th century, and Carniola became the second Slavic tribal principality in the Eastern Alps, in addition to Carantania. As Friuli’s immediate eastern neighbour, Carniola came under the rule of the Frankish king in the course of the Frankish-Avar war, perhaps already in 791, but certainly in 795, or 796.<sup>112</sup> Drawing parallels with its immediate neighbourhood,

<sup>104</sup> *Annales regni Francorum* ad a. 820.

<sup>105</sup> Hauptmann 1929, 342.

<sup>106</sup> See Avguštin 1999.

<sup>107</sup> Stare 1980.

<sup>108</sup> *Ravennatis anonymi Cosmographia et Gvidonis Geographica* IV, 21; Šašel 1992, 728–731.

<sup>109</sup> TB, nos. 236, 237.

<sup>110</sup> DD. O. II., nos. 47, 66.

<sup>111</sup> Hauptmann 1929, 391; Žontar 1982, 12 ff.; Kos M. 1985, 237 ff.

<sup>112</sup> The Frankish army invaded Avaria from Italy in 791, destroyed an Avar fort somewhere in the area of present-day western or central Slovenia, but then returned to Italy. This was followed, in 795, by a swift military expedition into the very centre of the khaganate between the Tisa and Danube, organised by the Friulian duke Erik and commanded by the enigmatic *Wonomyrus Sclavus*. The following year, a large Frankish army under the command of Charlemagne’s son Pippin once more devastated the Avar *Ring* and achieved the formal subjugation of the Avars; see Pohl 1988, 316 ff.

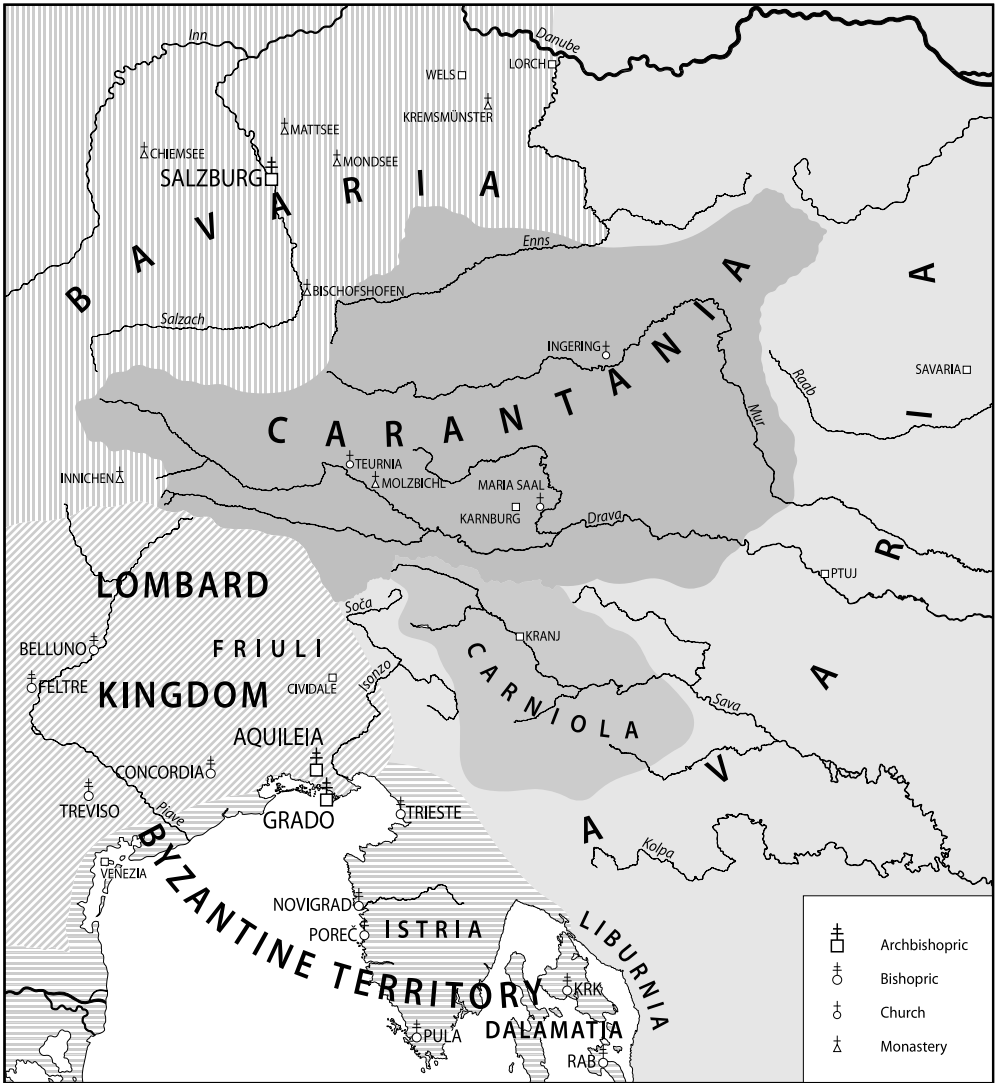


Fig. 5. Map of Carantania and Carniola.

Carniola, too, retained its tribal constitution and was incorporated as a tribal client principality with relative internal autonomy into the March of Friuli. In 818 the Carniolans joined the uprising of prince Louis of Lower Pannonia, as did parts of the Carantanians. Their desertion from Frankish lordship was, however, short-lived as the Friulian duke Baldric subjugated them once more in 820.<sup>113</sup>

The uprising of Louis, rapidly joined by several Slavic *gentes* which recognised Frankish lordship, laid bare the weaknesses of the then political system in the southeast of the Frankish empire, as it granted the Slavic client principalities a great degree of internal autonomy. The structure of the Frankish administration at the borders was consequently changed, administration by counts replaced tribal administration, at the latest by 828, and the native princes had to make room for Frankish counts.<sup>114</sup> Carniola did not escape these changes, and the count Salacho – who came from Bavaria and who operated in the Upper Sava Valley in 830s – can be understood to have been the likely successor of the tribal prince of the Carniolans, whose existence is however merely presumed, not documented.<sup>115</sup>

The abolition of their tribal constitution and related political autonomy extinguished the newly emerging ethnical identity of the Carniolans, and it took several centuries before the inhabitants of the central part of present-day Slovene territory acquired a new name – *Kranjci* (*Krainer*). But this was the fruit of another and new development connected with the formation of the *Land* of Carniola in the High and Late Middle Ages.

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<sup>113</sup> *Annales regni Francorum* ad. a. 818–820.

<sup>114</sup> Wolfram 1981, 313 ff.

<sup>115</sup> *Conversio Bagoariorum et Carantanorum*, c. 10; See Kos M., 1936, 76; Wolfram 1979, 129; Mitterauer, 1963, 138 ff.; Štih 1994, 209, 210 and notes 3 and 4.

## CHAPTER ELEVEN

### ON THE EASTERN BORDER OF ITALY IN THE EARLY MIDDLE AGES

#### *The Geographical Border*

The famous Paul the Deacon, a Lombard from Cividale in Friuli at the eastern border of Italy wrote in the late 8th century: “For indeed all Italy (which extends toward the south, or rather toward the southeast), is encompassed by the waves of the Tyrrhenian and Adriatic seas, yet from the west and north it is so shut in by the range of Alps that there is no entrance to it except through narrow passes and over the lofty summits of the mountains. Yet from the eastern side by which it is joined to Pannonia it has an approach which lies open more broadly and is quite level.”<sup>1</sup> Most historians agree that the open approach to Italy to which he referred was the forty-kilometre long Vipava Valley, which starts from the Friulian plain and the Soča (Isonzo) River, cuts into the mountainous inland and continues towards the Pannonian region across the manageable passes of the Karst.<sup>2</sup> The area was crossed by paths and roads connecting Italy with the Danube Basin and the Balkans already in prehistory and Antiquity, and this may be the right place to locate the “Istrian entrance,” *Histriae aditus*, through which according to the account of Pope Gregory I the Slavs were already penetrating into Italy in 600.<sup>3</sup> Since Byzantine Istria at the time presumably

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<sup>1</sup> Paulus Diaconus, *Historia Langobardorum* II 9 (English translation: <http://www.northvegr.org/lore/langobard/> [visit of December 2008]).

<sup>2</sup> E.g. Hauptmann 1915, 231; Hauptmann 1929, 340; Kos M. 1930, 336; Kos M. 1985, 243; Grafenauer 1970–1971, 19; Štih, Peršič 1981, 333; Bratož 1992, 303 and note 33. For differing opinions, see e.g. Mal 1939, 13 (somewhere in the area of Istria); Pirković 1970–1971, 188 ff. (Krško polje); Šašel 1992, 818 (Ljubljana Basin). These three divergent opinions are at variance with Paul’s explicit statement that Italy starts/ends in the east (where the “approach” to it is “broad and quite level”) with a territory that belongs to the *civitas* Forum Iulii and extends to the eastern edge of the Friulian plain, probably up to the Soča (Isonzo), but definitely not across the Karst passes into the Sava river basin or central Istria (see note 7).

<sup>3</sup> Gregorii I Papae *registrum epistolarum* I, X, no. 15; Kos M. 1985, 164; Grafenauer 1970–1971. The phrase *Histriae aditus* may however also be understood as meaning

included to the north and northeast the area of Trieste and the inland Karst up to the Vipava Valley, Nanos, Javorniki, and Snežnik,<sup>4</sup> Gregory I and Paul the Deacon possibly referred to the same area and only used different names for it.<sup>5</sup>

Right here, in this densely forested and dry Dinaric-Karst region that stretches out between the Friuli plain and the Vipava Valley on one side, and between the Ljubljana and Sava basins on the other side, ran the border between Lombard Italy and Avar Pannonia. According to Paul's description of the migration of the Lombards from Pannonia to Italy in 568, their king Alboin climbed the "Royal Mountain," *Mons regis*, at Italy's extreme border, to view their new homeland in biblical fashion.<sup>6</sup> This new homeland started to the east with the province of Venetia, whose easternmost *civitas* was Forum Iulii, present-day Cividale del Friuli, the territory where Alboin set foot on the Italian soil.<sup>7</sup> The border then seems to have remained unchanged for over two centuries. It was only after the Franks were victorious in the Avar wars, followed by political and administrative reorganisation of the newly conquered territories, that the area under the authority of the Frankish duke of Friuli extended far eastwards. But even in 791, when Charlemagne went to war against the Avars, the border between Frankish Italy and Avaria probably still ran along the Trnovo Forest and the Karst's passes: the stronghold a Frankish detachment occupied in Avaria (*partibus Avariae*) after marching just a single day could not have been far from the eastern border of Friuli,<sup>8</sup> which had been the

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that the Slavs were already penetrating into Italy "through Istria": see Margetić 1982, 171 ff. and cf. Bratož 1992, 303 ff.; Grafenauer 1988a, 334 and note 50.

<sup>4</sup> See notes 44 and 45.

<sup>5</sup> Kos M. 1985, 210; Grafenauer 1950, 72; Štih 1990, 183.

<sup>6</sup> Paulus Diaconus, *Historia Langobardorum* II 7, 8. Paul's description of the migration of the Lombards to Italy raises doubts about the historical accuracy of his account. The departure from Pannonia towards Italy after Easter (*pasha*) is reminiscent of the emigration of the Israelites from Egypt, and his description of how Alboin climbed the "Royal Mountain" at the border of Italy to view the new homeland reminds us of the arrival of the chosen people in the promised land. The parallels with the biblical text are obvious and Paul's description may be considered a literary topos. Cf. Krahwinkler 1992, 29 ff. and notes 5 and 6.

<sup>7</sup> Paulus Diaconus, *Historia Langobardorum* II 9; Krahwinkler 1992, 12–14; Wolfram 1995, 69. On the extent of Cividale's territory, see Stucci 1949, 77 ff., especially 84 ff.; Degrassi 1954, 35.

<sup>8</sup> *Epistolae variorum Carolo Magno regnante scriptae*, no. 20; *Regesta Imperii* 1/2, no. 315.



target of an Avar attack, probably launched from Carniolan territory, only three years earlier.<sup>9</sup>

The significance that this intrinsically unproductive area between the Friulian plain and the Ljubljana Basin had in history was determined by geography. Three vast natural complexes and two peninsulas meet here: the Mediterranean, Alpine, and Dinaric-Karst regions and the Apennine and Balkan peninsulas, which had a particularly important role in the history of Europe in Antiquity. The shortest and easiest passages across the entire mountain ring that extends from Marseille in France to Thessaloniki in Greece, separating Mediterranean from continental Europe, are right there. It is the area where the Pannonian plain is closest to the Mediterranean, and where the highest passage across the Karst near Postojna – called the Postojna, Adriatic, or Illyrian-Italic Gate – is about 600 metres above sea level. It is also the area of the continental watershed, and the hydrographical reservoirs of the Mediterranean and the Black Sea are closer here than anywhere else. The Pivka River is connected with both: its waters sink in to the Postojna Cave west of the Postojna Gate and resurface northeast of it as the Ljubljanica that flows into the Sava.<sup>10</sup> It does not come as a surprise, then, that Nauportus (present-day Vrhnika) at the source of the Ljubljanica, which had the function of a *portorium* already in the prehistoric-Celtic era,<sup>11</sup> is inseparably linked with ancient ideas and explanations about the bifurcation of the Danube, of which one arm was supposed to flow into the Adriatic, and the other into the Black Sea.<sup>12</sup>

Due to these geographical conditions and natural passages, traffic and trade routes linking the Mediterranean with the Danubian Basin existed already in prehistory. The mythical legend of the Argonauts – in the version by Apollonius of Rhodes from the 3rd century BC, they sailed from the Black Sea along the Danube, Sava, and Ljubljanica to Nauportus, from where they carried their ship (Pliny already associated the etymology of Nauportus (*navis, portare*) with the saga of the

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<sup>9</sup> *Annales regni Francorum ad a. 788*; *Annales qui dicuntur Einhardi ad a. 788*. The attack may have penetrated as far as Verona: Kollautz 1965, 628 ff.; Krahwinkler 1992, 147 and note 163. On the Avar-Frankish events in 788–791, see: Deer 1967, 753 ff.; Pohl 1988, 314 ff.; Krahwinkler 1992, 146 ff.; Wolfram 1995, 233; Wolfram 1995a, 82.

<sup>10</sup> Melik A., 1960, 5 ff.; Melik A. 1963, 7 ff.; Šašel 1992, 795 ff.; Hauptmann, 1929, 315 ff.; Grafenauer, 1988a, 17 ff., especially 29 ff.

<sup>11</sup> Šašel, 1992, 500 ff. See also Graf 1936, 43.

<sup>12</sup> Katičić 1995, 45 ff.; Kozličić 1990, 128 ff.

Argonauts)<sup>13</sup> across the Karst to the Adriatic Sea, to finally return to Greece – bears witness to the importance and general awareness of this route among Greek geographers and historians.<sup>14</sup> Strabo's Geography (4.6.10; 7.5.2) from the early 1st century AD reports that the Japodi carted goods from Aquileia to Nauportus – where they loaded them on ships and navigated to the Danube on rivers – across *Ocra*, which lay in their territory and was the lowest part of the Alps. Jaroslav Šašel<sup>15</sup> convincingly proved that Strabo's *Ocra* should not be equated with the *Ad Pirum* pass (Hrušica, 873 m) in the Trnovo Forest across which the principal road artery – in part of the literature it is called *via Gemina*<sup>16</sup> – that connected Aquileia in Italy via Emona with the Danube Basin in Antiquity, but that this lowest part of the Alps may well be Razdrto (575 m) below the plateau of Nanos (900-1300 m), from which Alboin, if he really did, probably viewed Italy in 568. The *via publica* across *Ad Pirum* was built only at the time of Emperor Augustus for the requirements of the army after the occupation of the northwestern Balkans; compared to the old route across *Ocra* it shortened the journey between Aquileia and Emona by one day.<sup>17</sup>

Throughout Antiquity and the Early Middle Ages, this highway remained of strategic importance for Italy's connection with the east and vice versa. It was on this road that the pretenders to the imperial title fought out their battles in the 4th century: Magnentius and Constantius II in 354, Maximus and Theodosius in 388, and Theodosius and Eugenius in 394.<sup>18</sup> In the 5th century it was used to invade Italy by Alaric's Visigoths (401 and 410), Attila's Huns (452) and Theodoric's Ostrogoths (489); on his way from Italy to Noricum Ripense in 487, Odoacer as well may have marched along it.<sup>19</sup> And this same road was probably used by the provincials of Noricum Ripense, evacuated to Italy together with the mortal remains of St Severinus in the summer of 488.<sup>20</sup> The Lombards journeyed to their new homeland along this road

<sup>13</sup> Šašel 1992, 502 ff., with an analysis of the contents and etymology of the passage in Pliny.

<sup>14</sup> Roscher 1884–1886, 503 ff., 524; Katičić 1995, 50; Kozličić 1990, 35 ff.

<sup>15</sup> Šašel 1974, 9 ff.; Šašel 1992, 630 ff.

<sup>16</sup> Šašel 1973, 901 ff.

<sup>17</sup> Šašel 1975, 96; Šašel 1960, 16.

<sup>18</sup> *Claustra Alpium Iuliarum* 1, nos. 9, 12–15, 18, 22, 24–27, 29, 30–34, 38–41, 44–46, 48; Šašel 1992, 716 ff.; Petru 1976 (unpaginated); Bratož 1994a, 5 ff.; Springer 1996, 45 ff.

<sup>19</sup> *Claustra Alpium Iuliarum* 1, nos. 21, 28, 36, 37; Petru 1976; Wolfram 1990a, 158, 278 ff.; Krahwinkler 1992, 19.

<sup>20</sup> Bratož 1982, 148; Bratož 1983, 162.

in the 6th century (568);<sup>21</sup> in the 7th century the Avars first laid waste to Cividale in 611 and later defeated the Friulian Lombards in the Vipava Valley in 664 – probably in the wider area of the battle between Eugenius and Theodosius in 394.<sup>22</sup> In the 8th century, around 740, the Friulian duke Ratchis invaded Carniola, the land of the Slavs by this route,<sup>23</sup> and the Frankish armies under Vojnomir the Slav and Pippin must at least partly have rolled on along this route in the campaigns into Avaria in 795 and 796.<sup>24</sup>

The evident strategic importance that this mountainous and karst area in present-day western Slovenia had for the defence of Italy's most vulnerable border required the construction of a special defence system, consisting of valley barriers, signal towers and *castella*, documented as early as the 3rd century. It ran from Tarsatica (Trsat near Rijeka) in the Kvarner Gulf in the south to the Gailtal valley in Carinthia in the north. According to Ammianus Marcellinus, an officer from the 4th century, it was commonly called *claustra Alpium Iuliarum*.<sup>25</sup> In the 5th century its barriers were used only occasionally and on individual sections, and the defence system must have completely collapsed in the 6th century, because according to their historiographer the Lombards penetrated onto Italian soil without meeting any resistance, *sine aliquo obstaculo*.<sup>26</sup> The system the Lombards later established to protect the eastern border no longer ran along the mountain ranges but was moved back westwards to the edge and interior of the Friulian plain: here the "Lombard *limes*" was established – the term is not documented in the sources and was coined by modern historiography –, consisting of *castra* and *castella* controlling the principal roads and blocking the exits of the river valleys from the mountain circle onto the plain.<sup>27</sup> And it was

<sup>21</sup> Mor 1964, 179 ff.

<sup>22</sup> See note 32.

<sup>23</sup> Paulus Diaconus, *Historia Langobardorum* VI 52.

<sup>24</sup> Cf. Pohl 1988, 318 ff. A stone bridge was constructed across the Drava at Ptuj (Poetovio) at the time of Emperor Hadrian and it served its purpose into the High Middle Ages; see Baš 1933, 93 ff.; Grafenauer 1970, 171; for a different view see Curk 1999, 1 ff. When planning the path of a military campaign, which may run into logistic problems, such a vital piece of infrastructure could not be overlooked.

<sup>25</sup> *Claustra Alpium Iuliarum* 1; Šašel 1992, 386 ff.; Petru 1976.

<sup>26</sup> Paulus Diaconus, *Historia Langobardorum* II 9. In my opinion, Paul's account of how the Avars defeated the rebellious Friulian duke Lupus in the Vipava Valley in 664 (Paulus Diaconus, *Historia Langobardorum* V 19) offers no grounds for assuming that the barriers were still in use at the time, as claimed in Petru 1978a, 509; similarly, Krahwinkler 1992, 48 and note 95.

<sup>27</sup> This famous passage in Paulus Diaconus, *Historia Langobardorum* IV 37, lists the *castra* (Cividale, Cormons, Nimis, Osoppo, Artegna, Ragogna, Gemona, Invillino)

here, at the border of the Friulian plain and the mountains that Slavic settlement was later halted, and the “limes” had an important impact on the formation of the Slavic-Romance border.<sup>28</sup>

In Antiquity, the *claustra Alpium Iuliarum* were Italy’s tangible border, the ultimate physical barrier blocking access to it. Its administrative and political borders however lay elsewhere, farther eastward, for most of Antiquity: on the watershed between the basins of the Sava and Savinja rivers, on the *Atrans* pass (Trojane, 594 m), the location of a border post on the above-mentioned Aquileia-Emona-Poetovio arterial road;<sup>29</sup> Emona and its territory, which extended from Hrušica (*Ad Pirum*) in the west to Trojane (*Atrans*) in the east,<sup>30</sup> indeed belonged to Italy from at least the 1st century to the late 5th century.<sup>31</sup>

If we can rely on Paul the Deacon, who wrote about these conditions in the late 8th century, in the second half of the 6th century the border of Italy must have already run west of former Emona and east of the Vipava Valley; in other words, across the mountainous karst terrain between Friuli and the Ljubljana Basin where it still existed in the late 8th century. Alboin indeed penetrated onto Italian soil in the territory of Forum Iulii (Cividale), which extended eastward to the edge of the Friulian plain or to the middle Soča (Isonzo), where it was joined by the Vipava Valley, which also belonged to Friuli according to data referring to 664.<sup>32</sup> If Šašel is right in his opinion that the description of

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in which the threatened population sought refuge when the Avars raided Friuli in 611, and is the basic account on the existence of a “Lombard limes” (cf. Kos M. 1930, 337 ff. and especially 348 ff.; Grafenauer 1952, 425 ff.; Grafenauer 1988a, 190 and note 60; Štih, Peršič 1981, 334 ff.; Bierbrauer 1987, 21 ff.; Bosio 1987, 433 ff.; Krahwinkler 1992, 40 and especially note 60). This “Lombard limes” was not a limes-like defence system consisting of walls and fortresses, as among others claimed in Šribar 1984–1985, 47 ff., but a defence concept based on individual strongholds (*castra*), lying deeper in Lombard territory (and not on the border itself), which blocked the roads leading into the Friulian plain at the juncture of the plain and the mountains (Gemona, for instance, controlled the exit of the Tagliamento into the plain, Cividale blocked the Natisone Valley, Cormons the Idrija Valley, Solkan the Soča (Isonzo) Valley, and Ajdovščina the Vipava Valley). Concerning the last two, not mentioned by Paul the Deacon, see: Kos M. 1930, 359 ff. and Svoljšak, Knific 1976, 53 ff., 79 ff.; Svoljšak, Knific 1984, 277 ff. The Lombards had similar defence systems against the Franks in Aosta, and against the Bavarians in Trentino: Bierbrauer 1990, 113 ff.

<sup>28</sup> Kos M. 1930, 340 ff.; Grafenauer 1987, 5 ff.

<sup>29</sup> Šašel 1995, 75 ff., 90.

<sup>30</sup> Šašel 1992, 574.

<sup>31</sup> See Šašel 1992, 707 ff., especially 713 ff.

<sup>32</sup> See note 7. Paulus Diaconus, *Historia Langobardorum* V 19 reports that the kha-gan and his army entered Friuli *in loco qui Flovius dicitur* and defeated the Friulian duke Lupus. *Locus Flovius* is usually identified as Ajdovščina in the Vipava Valley,

Carniola in the Ravenna Cosmography<sup>33</sup> – in spite of certain problems<sup>34</sup> we may legitimately locate Carniola in the Upper Sava Valley and its centre in *Carnium* (Kranj)<sup>35</sup> – stems from the period before the mid 6th century, then the eastern border of Italy must have shifted from the Trojane (*Atrans*) pass to the Karst's passes already at the time of Ostrogoth rule;<sup>36</sup> according to the description in the Cosmography, Emona (*Atamine*) was indeed not located in Carniola at all, but in farther eastern Valeria.<sup>37</sup> That the course of the border in this area was unchanged in the late 8th century is suggested by the clashes between the Franks and Avars in 788 and 791.<sup>38</sup>

The archaeological material from a large cemetery in Kranj, dated to the Migration Period, however testifies that until the turn of the 7th century, when the burials discontinued,<sup>39</sup> the Lombards must have controlled the Upper Sava basin (Upper Carniola), which was remote from the main route to Italy. The graves of Lombard soldiers in

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though this location is not quite undisputed. It is based on a Roman reference to *Fluvius Frigidus* as a fortress in Ajdovščina (Tabula Peutingeriana, Itinerarium Antonini): cf. Šašel 1970, 138 ff.; Šašel 1995, 90 ff.; Petru 1975, 121; Claustra Alpium Iuliarum 1, 43; Knific 1976, 113; Krahwinkler 1992, 48 and note 95. Grafenauer 1988a, 235 and note 23, in particular was sceptical about this location. The Vipava Valley belonged to Friuli until the High Middle Ages; Gorizia is mentioned around 1070-1080 in a *notitia traditionis* of the bishop of Brixen, Altwin (TB, no. 240), as located *in regno Italico <in> comitatu Foriulanense*.

<sup>33</sup> Ravennatis anonymi Cosmographia et Gvidonis Geographica IV 21 (221 ff.), IV 22 (223) and IV 37 (293). On the Cosmography, cf. Wattenbach, Levison 1952, 69 and note 113; Lhotsky 1963, 142; on models for the Cosmography, see Schnetz 1942, 7–87; Schillinger-Häfele 1963, 238 ff.

<sup>34</sup> Cf. Dillemann 1972, 319–322; Bertels 1987, 120.

<sup>35</sup> Šašel 1970–71, 34 ff.; Šašel 1992, 588; Štih 1996b, 13 ff.

<sup>36</sup> Šašel 1970–71, 37 ff.; Šašel 1992, 590. Cf. Hauptmann 1929, 329–335 who dates the shift of the border to 488 and associates it with Odoacre's evacuation of Noricum Ripense.

<sup>37</sup> Šašel 1984, 251–253; Šašel 1992, 825. Attention must be drawn to the following: Šašel's argumentation that the place name *Atamine* stands for Emona (Ad (A) Emonam → Atamona → Atamin[e]), is based on a wide range of examples in which the suffix *-ona* of ancient toponyms was changed into *-in* in the Slavic language (E.g. Salona-Solin, Scardona-Škradin, Aenona-Nin, Flanona-Plomin, Albona-Labin, Ortaona-Vrtovin), and attributes the *-in(e)* in *Atamine* to Slavic mediation. This means that the form *Atamine* (and the description in the Cosmography) cannot have emerged before the late 6th century when the Slavs settled the area of present-day Slovenia. Since the name *Atamine* fell into oblivion we may even conclude, as Šašel did, that the first "Emonian" Slavs lived here only for some time. See also Šašel 1992, 713 and no. 25. On Valeria, *quae et Media appellatur provincia*, see Wolfram 1995, 69 ff. and its new emphases.

<sup>38</sup> See notes 8 and 9.

<sup>39</sup> Werner 1962, 121 ff.; Vinski 1980, 17 ff.

Kranj – analogous graves have been found in Friuli<sup>40</sup> – should be interpreted as evidence that *Carnium*, though located beyond the border of Italy, was initially a vanguard of the Lombard duchy of Friuli.<sup>41</sup> Due to the Slavic settlement under Avar lordship, Lombard influence came to an end in the Upper Sava Valley in the late 6th century. The Lombards compensated this loss in a way in northeastern Friuli in the 620s, where they extended their dominion over part of the territory which Paul the Deacon calls *Scavorum regio Zellia*. Lombard control then expanded into Val Canale up to the castellum of Maglern at the present Italian-Austrian border, which blocked and controlled the ancient road (*Via Iulia Augusta*) connecting the Friulian and Norican or Carantanian areas. The Slavs living in this area were subjugated to the lordship of the dukes of Friuli until around 740 and had to pay a special tribute to them.<sup>42</sup>

The question of the eastern border of Lombard Italy must be separated from that of the eastern border of Byzantine Istria, which belonged to Italy from Emperor Augustus onwards. The Lombard invasion of 568 split the Tenth Region of Italy, consisted of Venetia and Istria (*Regio X Venetia et Histria*), into two parts. Istria nevertheless remained in Italy and its administration was subordinated to the Byzantine exarch in Ravenna.<sup>43</sup> In the Middle Ages, the Karst belonged to Istria and the bishopric of Trieste, whose uninterrupted operation goes back to Antiquity.<sup>44</sup> Assuming that the political borders of the peninsula to the north matched the borders of the bishopric of Trieste, and that the diocese's borders were stable from the Early to the High Middle Ages, when we have accurate knowledge of them, then the border of Byzantine Istria – and that of Italy – ran from the small Timavo River in the northernmost part of the Gulf of Trieste; it was also the border between Istria and Friuli – to the upper Vipava Valley, Nanos, Javorniki and

<sup>40</sup> Vinski 1980, 25 ff.; Knific 1995, 23 ff., especially 33 ff.

<sup>41</sup> Vinski 1980, 19; Knific 1976, 116; Knific 1981, 598; Vuga 1982, 174.

<sup>42</sup> Paulus Diaconus, *Historia Langobardorum* IV 38. Krahwinkler 1992, 45; Pohl 1988, 259; Grafenauer 1952, 472 ff. On the location of *Zellia* and *Medaria*, see Kos M. 1985, 154; Grafenauer 1988a, 192 and notes 66 and 67; Bertels 1987, 99 ff. On the settlement history of this southwestern part of Carinthia, see Krawarik 1996, 463 ff.; on the importance of Maglern, see Moro 1969, 461 ff.; on the Roman road through Val Canale, see Šašel 1995, 76, 78 ff. and Krahwinkler 1992, 16.

<sup>43</sup> Ferluga 1987, 165; Ferluga 1992, 175 ff.

<sup>44</sup> On the Karst as part of Istria: Hauptmann 1929, 354 ff. For the extent of the diocese of Trieste in the Karst: Höfler 2001, 163 ff.; Colombo 2009, 159 and fig. 10. On the continuity of this bishopric: Bratož 1986, 382 (for Late Antiquity); Bratož 1993, 67 ff. (for the Early Middle Ages).

Snežnik, from where it dropped to Kastav, an old *castellum* above Rijeka, climbed the Učka mountain range, and regained the sea at the Raša's estuary in the Bay of Plomin.<sup>45</sup>

### *The Political Border*

The focus of our interest, however, is not so much on the question of where exactly the eastern border of Italy geographically ran in individual temporal horizons of the Early Middle Ages, but on the nature of this border. West of the border, which was where affluent Italy with all of its history and traditions started: Cassiodorus sings the praise of Istria as a land rich in wine, oils and grain, calling it the Campania of Ravenna (*Ravennae Campania*) in the 6th century, meaning that the royal town of Ravenna had the same significance to the Ostrogoths as Campania once had to imperial Rome.<sup>46</sup> East of the border were the Slavs, subjected to Avar lordship, and there *barbaricum* started, constantly under the onslaught of new peoples and finally separated from the Roman ecumene, and to a great degree also from the ancient traditions, in the second half of the 6th century. This border separated not only two different political organisms and two political spheres, but also two different ways of living, two different economies, and two different views of the gods. In a word, the border separated two worlds. But if we use political terms from Europe in the second half of the 20th century, was this border an "Iron Curtain," a "Berlin Wall," or perhaps merely a "green border?"

At first glance this was a border between enemies constantly engaged in battle. In 599 the Byzantines defeated the Slavs, probably in Istria.<sup>47</sup> Three years later the province was ravaged by plundering Avars, Slavs, and Lombards. Around 611, the Avars burned down Cividale and plundered Friuli, while the Slavs raided across Istria.<sup>48</sup> Somewhat later

<sup>45</sup> Kos M. 1950, 59; Kos M. 1985, 164; Degrassi 1954, 84 ff.; Ferluga 1992, 178. For a divergent opinion, see Margetić 1982, 171 ff.; Margetić 1996, 15 ff.

<sup>46</sup> Matjašić 1988, 365.

<sup>47</sup> Gregorii I Papae registrum epistolarum 2, IX, no. 154; cf. Margetić 1983, 145.

<sup>48</sup> Paulus Diaconus, *Historia Langobardorum* IV 24, 37, 40. As indicated by the example of the *castellum* of Nesactium in the hinterland of Pula, destroyed around 600 and where two "Avar" three-wing arrows were found, as well as the example of the burned-down basilica of Vrsar, the Avar and Slavic raids between 599 and 611 extended to the richest part of Istria in the south and west of the peninsula: Marušić 1960, 14 ff.; Marušić 1987, 91.

the Lombards conquered the Slavic *regio Zellia*. In 664 the Avars once more invaded Friuli, defeated the army of the duke of Friuli and plundered across the province. Not much later the Slavs, whose target was Cividale, were defeated in the Natisone Valley. Around 705, the Slavs dealt a crushing defeat to the Friulian army. Another Slavic-Lombard battle occurred around 720, near *Lauriana*, a place under the control of the duke of Friuli, but whose exact location is unclear. Around 740, the Friulian duke Ratchis invaded Slavic Carniola.<sup>49</sup> In 788, when new political relationships were already in force after Charlemagne had subjugated the Bavarians and Carantanians, and probably Byzantine Istria as well, to his immediate authority, the Avars, whose borders with the Frankish Empire now extended from the Danube to the Adriatic Sea, raided Friuli for the last time and were defeated. Three years later Charlemagne officially started the Avar wars and did so with a trust from Friuli. The decisive military successes of the Franks were, however, achieved in 795 and 796 in the course of two campaigns which started from Friulian soil and ended with the plunder of the Avar Ring.<sup>50</sup>

But things are much more differentiated than they seem at first glance and become comprehensible only when we treat them in the wider context. This wider context included: 1) the Avar-Lombard relations, principally determined by the relations between the Lombard king and the Avar khagan; 2) the Slavic-Lombard relations, where on the Lombard side the role of the dukes of Friuli stands out, and 3) the internal political relations between the Lombards themselves, where the two parties engaged in the traditional dispute between the central royal authority in Pavia, and the regional authority of the duke in Cividale sought allies in their struggle for supremacy outside the state's borders.

The first phase of Lombard-Avar relations corresponds with the Pannonian period of Lombard history under Alboin. Just a few years after the Avars reached the lower Danube, the Lombard king concluded a first perpetual covenant, *foedus perpetuum*, with the Avar khagan in the winter of 566/67, aimed against the Gepids.<sup>51</sup> In connection with the migration of the Lombards to Italy in 568, their own traditions report that they made a written agreement with the Avars (*carta*

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<sup>49</sup> Paulus Diaconus, *Historia Langobardorum* IV 38; V 19, 20, 23; VI 24, 45, 52.

<sup>50</sup> See notes 8, 9, 24.

<sup>51</sup> Paulus Diaconus, *Historia Langobardorum* I 27; Pohl 1988, 50 ff.



*conscriptio*) on alliance and friendship (*pactum et foedus amicitiae*), which left Pannonia to the Avars, and secured to the Lombards the right to freely return to their homeland for a period of two hundred years, and at the same time assured them Avar assistance in Italy.<sup>52</sup> The second phase of these relations is connected with the period when Agilulf was the king of the Lombards. Soon after he assumed power, he made a first agreement, *pax*, with the Avars in 591–592, followed by a second one in 596, and a third agreement on eternal peace (*pax perpetua*) in 601.<sup>53</sup> That these agreements were not merely peace treaties, but also involved cooperation and alliance, is attested by three events from the first years of the 7th century: around 601, Agilulf first sent to his Avar ally craftsmen to build ships for him, which were then used to “conquer an island in Thrace.”<sup>54</sup> In 601 or 602, the Lombards, after the truce with the exarch of Ravenna expired in March, participated in the Avar-Slavic devastation of Byzantine Istria,<sup>55</sup> and the khagan reciprocated with a Slavic contingent he sent to the assistance of Agilulf in the siege of Byzantine Cremona in 603.<sup>56</sup>

It further appears that the Avars assisted Agilulf in solving internal political problems as well. In 611, they invaded Friuli, whose dukes traditionally pursued autonomous policies. The Avars killed the Friulian duke Gisulf II in battle, burned down Cividale, and plundered the province. Nobody rushed to the assistance of the threatened Friulians, but the khagan did not exploit his victory to continue the offensive and instead withdrew to Pannonia.<sup>57</sup> This suggests that the Avar action may have been agreed in advance with Agilulf,<sup>58</sup> to whom the excessively independent position of the Friulian duke Gisulf II – in the 590s he

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<sup>52</sup> *Historia Langobardorum* codicis Gothani, c. 5; See also Paulus Diaconus, *Historia Langobardorum* II 7 and cf. *Origo gentis Langobardorum*, c. 5, according to which the Lombards migrated to Italy at the invitation of Narses. See Krahwinkler 1992, 29 and note 1; Pohl 1988, 51.

<sup>53</sup> Paulus Diaconus, *Historia Langobardorum* IV 4, 12, 24.

<sup>54</sup> Paulus Diaconus, *Historia Langobardorum* IV 20. Pohl 1988, 159 and 389 with note 4; Krahwinkler 1988, 39.

<sup>55</sup> Paulus Diaconus, *Historia Langobardorum* IV 24. See Margetić 1992, 159–161. It is highly unlikely that these were Friulian Lombards under Gisulf II, as they were Byzantine *foederati* at the time (see note 59), but rather Lombards who were under the king's command; see Kollautz 1965, 625.

<sup>56</sup> Paulus Diaconus, *Historia Langobardorum* IV 28; see Grafenauer 1988a, 187 and note 36; Pohl 1988, 159 ff.

<sup>57</sup> Paulus Diaconus, *Historia Langobardorum* IV 37.

<sup>58</sup> Brozzi 1970–1971, 78; Krahwinkler 1992, 39 ff.; Pohl 1988, 239.

held the status of a Byzantine *foederatus*<sup>59</sup> and could claim to be related to the then already legendary King Alboin<sup>60</sup> – was not in line with his concept of strengthening royal central authority.<sup>61</sup> Whether the Slavic plundering of Byzantine Istria in the same year<sup>62</sup> was related to the events in adjacent Friuli is not known.

Anyhow, this was not the last time the Avars directly intervened in the internal affairs of Lombardy. In 663 the Friulian duke Lupus, famous for having succeeded in plundering Byzantine Grado in a spectacular action and getting away with the Church's treasure,<sup>63</sup> rose against the Lombard king Grimoald. Grimoald was the son of the Friulian duke Gisulf II, killed in 611, and the Avars took him into captivity to Avaria, where he managed to escape as a young boy.<sup>64</sup> Now that he was king, he did exactly the same thing that cost his father his life. Presumably not wanting to start a civil war among the Lombards, he "ordered" (*mandavit*) the Avar khagan to come to Friuli with his army and quell the uprising. The rebellious duke Lupus lost the battle and his life in 664, probably somewhere in the Vipava Valley.<sup>65</sup> His son Arnefrit fled from Grimoald to Carantania, where he was given refuge and support in his campaign to occupy his father's position in Friuli. But when he arrived in Nimis, north of Cividale, with his Slavic allies he fell in battle.<sup>66</sup> Two foreign powers were thus involved in this Friulian drama.

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<sup>59</sup> Epistolae Austrasicae, no. 41. Gisulf temporarily settled his dispute with the Lombard king Agilulf in 603, (Paulus Diaconus, *Historia Langobardorum* IV 27). Gisulf's father Grasulf was probably in the service of Byzantium. See Brozzi 1970–71, 76 ff.; Brozzi 1975, 28 ff., 51 ff.; Krahwinkler 1992, 37 ff. and note 37; Margetić 1992, 158 ff.

<sup>60</sup> Paulus Diaconus, *Historia Langobardorum* I 27, II 28. Alboin was the victor over the Gepids. He personally killed their king Cunimundus, who was his father-in-law, and had his skull turned into a drinking cup, which Paul the Deacon saw at the Lombard court in his own time. Alboin was also the king who led the Lombards into their new homeland. Paul relates that Alboin's nobility, glory, fortune in war, and courage were praised by the Bavarians, Saxons, and other German peoples. Special weapons are alleged to have been forged under Alboin. At the time of Paul the Deacon, the duke of Verona, Giselpert, went as far as to open Alboin's grave to lay his hands on his sword.

<sup>61</sup> See Jarnut 1982, 42 ff., 46.

<sup>62</sup> Paulus Diaconus, *Historia Langobardorum* IV 40.

<sup>63</sup> Paulus Diaconus, *Historia Langobardorum* V 17. The core of this treasure must have consisted of the treasure the Aquileian patriarch Paulinus I, rescued when he fled from the Lombards to Grado in 568: Paulus Diaconus, *Historia Langobardorum* II 10.

<sup>64</sup> Paulus Diaconus, *Historia Langobardorum* IV 37.

<sup>65</sup> Paulus Diaconus, *Historia Langobardorum* V 18–21. On the location of *locus qui Flovius dicitur*, see note 32.

<sup>66</sup> Paulus Diaconus, *Historia Langobardorum* V 22. This chapter of Paul's History contains the oldest reference to the Carantanian name: *ad Sclavorum gentem in*

Not long after these tragic events the Slavs invaded Friuli once more. Their target was no less than Cividale itself, but the new duke of Friuli, Vectari, defeated them in the Natisone Valley, where they had made camp.<sup>67</sup> But who were these Slavs and where did they come from? The Natisone valley connects Cividale with the Soča (Isonzo) Valley, and the connection extends further to the Carinthian area across the Predel pass (1156 m). This was the third important route connecting Carinthia and Friuli, in addition to those through Val Canale and across the Plöckenpaß (1360 m). The importance of this connection is indicated by the fact that a trade road (*strata de Plez*; named after Bovec/Plezzo) is mentioned in 1345.<sup>68</sup> However, from the Soča (Isonzo) Valley roads also led to the Sava basin, and the Slavic invaders could well have come from the Carniolan direction.<sup>69</sup> Considering these possibilities, we cannot overlook that the Slavic attack on the strongly fortified capital of the duchy of Friuli must have been a reckless enterprise with little promise of success, and it therefore seems much more likely that this Slavic attack was again part of a wider, coordinated plan of action, and that it was undertaken in the context of the internal Lombard struggle for power in Cividale; we can see it as a continuation of the struggle between the two parties in Friuli, of which the royal party allied with the Avars, and Lupus, and later Arnefrit, allied with the Carantanian Slavs.<sup>70</sup> Vectari, who was not a native but from Vicenza, was Grimoald's

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*Carnuntum, quod corrupte vocitant Carantanum.* Although the *Conversio Bagoariorum et Carantanorum*, c. 4, associated the Carantanian name already with Samo's period, its oldest undisputed mention is in Paul the Deacon, regardless of the possibility that the term perhaps derived from the later period when Paul wrote his *History* (787/788–799). For a list of all the mentions of the Carantanian name until 900, see Ferluga, Hellmann, Kämpfer, Ludat, Zernack 1982, 305 ff.

<sup>67</sup> Paulus Diaconus, *Historia Langobardorum* V 23. The location of *Broxas*, where the Slavs made camp, is not as much of a problem as claimed in Bertels 1987, 111 ("nicht lokalisierbarer Broxas"). It is undoubtedly Brischis (Slov. Brišče) in the Natisone Valley, as is confirmed by Berengar's charter from 888 (D. Ber. I, no. 2 in app.), which in addition to *Broxas* mentions the church of St John in Antro (*ecclesia sancti Ioannis in Antro*), as well as by the fact that the Slavic-Lombard clash took place in the Natisone Valley, at a bridge across the river (*pons Natisonis fluminis*); this bridge is usually identified as Ponte di S. Quirino, located a couple of kilometres west of Brischis. See Kos M. 1930, 353; Krahwinkler 1992, 51 and note 109.

<sup>68</sup> Austro-Friulana, nos. 42, 179. Gestrin 1965, 210 ff.; Kos M. 1985, 349 ff.; Šumrada 1987, 313 ff.

<sup>69</sup> On these "diagonal" roads from Carniola to Friuli, see Gestrin 1965, 210.

<sup>70</sup> That the attempted attack on Cividale was undertaken by Slavs from the Carantanian area may be suggested by Paul's reference to the attackers with the term *Sclavorum gens*. This is indeed the term he uses for the Carantanian Slavs (see note 66), and Hermann of Eichenau (11th century) already associated them with the battle with

protégé. He could have been in no way appointed (*ordinatus*) duke of Friuli without the support of the king, who belonged to the old Friulian house of dukes; Grimoald's (great?) grandfather Gisulf I was a *nepos* of King Alboin and the first Lombard *dux* in Italy.<sup>71</sup> The Slavs advanced into eastern Friuli only after they learned that Vectari was staying with the king in Pavia. This suggests the Vectari's opponents wanted to exploit his absence, called upon their Slavic allies, and aimed to take over power in Cividale with their assistance. The plan, however, was frustrated by Vectari's early return.<sup>72</sup>

Grimoald thus continued the traditional policy of the Lombard kings toward the Avars. And he also had a formally concluded *pax* with them. What this peace meant is illustrated by a story from Paul the Deacon. Grimoald had ascended the Lombard throne as an usurper by murdering King Godepert (661), whose brother and co-ruler Perctarit fled to the Avars, where the khagan gave him a friendly welcome, swearing that he would not turn him over to his personal enemies. When Grimoald threatened through his envoys that he would break the peace, if the khagan kept Perctarit with him, the Avar ruler denied further hospitality to his prominent refugee "so that the Avars would not make an enemy of the Lombards because of him," but he did not surrender Perctarit to Grimoald and thus did not break his oath to him.<sup>73</sup> This tradition of good relations between the Lombards and Avars continued in the 8th century. In the sentence that concludes his *History of the Lombards*, Paul the Deacon writes about Liutprand (712–744), under whose rule the Lombard kingdom in Italy reached its peak, that the fundamental principle of his successful foreign policy was the carefully balanced peace with the Franks on one side, and the Avars on the other.<sup>74</sup>

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Vectari, an account he obviously drew from Paul the Deacon. Herimanni Augiensis chronicon, 95: *Sclavi de Carunto, quod Carantanum dicimus, cum exercitu Venetiam vastantes, duce Nuectario cum 25 suorum super eos irruente, pauci ex quinque milibus effugere vix potuere.*

<sup>71</sup> Paulus Diaconus, *Historia Langobardorum* II 9; Krahwinkler 1992, 31 ff., 40 and the genealogical table III/2 on p. 310.

<sup>72</sup> See Margetić 1992, 163. Paul the Deacon probably retold the story after local traditions in Cividale: Štih 1991, 152.

<sup>73</sup> Paulus Diaconus, *Historia Langobardorum* IV 51, V 2. The story of the khagan's oath to Perctarit before an idol was later retold by Perctarit himself, after he had again become king of the Lombards following Grimoald's death (671), to the bishop of York, Wilfrid (*Vita Wilfridi I. episcopi Eboracensis auctore Stephano*, c. 28), who visited Perctarit's court on his pilgrimage to Rome. On the wider context of this story, see Jarnut, *Geschichte* 1982, 58 ff.

<sup>74</sup> Paulus Diaconus, *Historia Langobardorum* VI 58.

After the disaster of the Slavic attack near Brischis in the Natisone Valley in the 670s, a new Slavic penetration into eastern Friuli occurred only at the time of duke Ferdulf soon after 700, and its causes may well have been rooted in internal political disputes in Friuli. Paul the Deacon indeed relates that it was the duke of Friuli himself who encouraged the Slavic robbers (*latrunculi*) and army (*exercitus*) to attack in order to assert himself against the “sculdahis” (*rector loci illius, quem ‘sculdahis’ lingua propria dicunt*), the (king’s) holder of authority at the local level. Though Paul presents the conflict between the duke and the *sculdahis* Argait – which ended in a disastrous defeat by the Slavs and in which the entire Friulian *nobilitas* reportedly fell, as a conflict at the level of personal prestige<sup>75</sup> – it is much more likely that the dispute derived from political differences. Paul’s account is quite obviously an example of the reductionism that was common of early medieval understanding, and which reduced and personified things of a general nature.<sup>76</sup> Argait certainly was not an insignificant “local magistrate” but a *vir nobilis*, someone of a high social rank, who obviously had an armed escort at his disposal. Whether his function made him more the king’s man than the duke’s, whether this was the cause of the conflict between Argait and Ferdulf,<sup>77</sup> who these Slavs that dealt such a crushing defeat to the Friulian army were, and where they came from, remain unsolved questions.<sup>78</sup>

The disastrous defeat was expiated around 720 near *Lauriana* by an allegedly splendid victory of the Friulian duke Pemmo over the Slavs. The fact that he made peace (*concordia pacis*) with the Slavs right there on the battlefield suggests, however, that the Lombard victory was not all that splendid and that it was a relatively minor clash, which the writer used to offset Ferdulf’s defeat.<sup>79</sup> In any case, the event did not

<sup>75</sup> Paulus Diaconus, *Historia Langobardorum* VI 24.

<sup>76</sup> Krahwinkler 1992, 58.

<sup>77</sup> On the social and legal position of the *schuldahis* and his relationship with the king, see Krahwinkler 1992, 58 and notes 140–145.

<sup>78</sup> Most historians (Kos M. 1930, 341 ff.; Grafenauer 1978a, 103; Štih, Peršič 1981, 338) interpret the Slavic pillaging of Lombard flocks of sheep as clashes for control of the pastures in the mountainous area east of the Friulian plain, implying a more or less constant Slavic presence in the area. Krahwinkler 1992, 55 ff. and note 133, surmises that the Slavs of 705 were a *skamare*, a kind of organised group of professional robbers, while Margetić 1992, 163 believes that *latrunculi* in Paul’s account does not refer to robbers, but to a reconnaissance party (*praecursores exercitus*) ahead of the Slavic army’s main forces (*exercitus Sclavorum*).

<sup>79</sup> Paulus Diaconus, *Historia Langobardorum* VI 45. The location of *Lauriana* is disputed. From the previous century onwards, Slovene historiography has identified it

have a major impact on Friulian-Slavic relations since Pemmo at one stage of his political career, when he was in trouble, even considered fleeing to the Slavs.

The traditional rivalry between the kingdom and the duchy flared up once more around 737. The reason for it was a dispute of church politics. At its centre were Calixtus, originally the archdeacon of Treviso, who had become the patriarch of Aquileia with the approval of the Lombard king Liutprand<sup>80</sup> and whose see was in Cormons, and Amator, the bishop of Iulium Carnicum (Zuglio), who in reality had his see (as had his predecessor) in ducal Cividale. Amator thus resided in the territory of Calixtus's diocese and a dispute was inevitable for reasons of church administration. Tensions further heightened because Amator enjoyed the support of the duke of Friuli and the leading class of the Lombards, while Calixtus could count on the support of the king and the ordinary people (*vulgus*). In the course of the conflict, Calixtus first managed to drive Amator out of Cividale and transfer his see to the town, upon which Duke Pemmo imprisoned the patriarch in the castellum of *Potium*. It did not take long for the king to react: Pemmo was removed from office and intended to flee *in Sclavorum patriam*. He however did not have to carry out his intention because his son Ratchis, who had become the new duke of Friuli, obtained amnesty for his father from the king.<sup>81</sup>

Nevertheless, an important question arises in the context of our theme: to which Slavs, the Carantanians or Carniolans, did the duke want to flee? There is no definitive answer to this question. If we draw on the wording of Paul's text, the more likely conclusion would be that Pemmo wanted to flee to the Carniolan Slavs, as Paul seems to use different terms for the two Slavic communities. The term *Sclavorum patria*, used in connection with Pemmo's flight, is indeed used explicitly in reference to Carniola in the next chapter of the History of the

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as Lavariana south of Udine (Rutar 1885, 324; Kos M. 1930, 174; Grafenauer 1988a, 290 and note 70), while Friulian historians remain rather sceptical on the issue (Brozzi 1975, 39 and note 90: "Non e possibile individuare nel territorio friulano la localita di Lauriana"). Other proposals locate *Lauriana* in the Upper Drava Valley, as Lovran on the eastern coast of Istria, and at places in between; see Krahwinkler 1992, 60 and note 155. In accordance with its location of *Lauriana* in the Friulian plain, Slovene historiography has interpreted the battle from around 720 as a failed attempt of the Slavs to occupy and settle the plain (Kos, Grafenauer as in note 78).

<sup>80</sup> Paulus Diaconus, *Historia Langobardorum* VI 45.

<sup>81</sup> Paulus Diaconus, *Historia Langobardorum* VI 51.

Lombards,<sup>82</sup> whereas in another passage the Carantanian territory is associated with the term *Sclavorum gens*.<sup>83</sup> But if we recall, on the other hand, that Carniola was located within the Avar khaganate, whose rulers traditionally maintained good relations with the Lombard kings – including Liutprand – then it seems less likely that Pemmo would want to flee to Slavic territory under the control of the king’s “ally,” the territory his son Ratchis was indeed to devastate in a military operation soon afterwards.<sup>84</sup>

The example of Arnefrit from around 664 also shows that high Friulian refugees sought political asylum and assistance among the Carantanian Slavs. Tradition would therefore lean towards the Carantanians.<sup>85</sup> At the same time when Ratchis ruled in Friuli, the Carantanians themselves were probably already ruled by Prince Borut,<sup>86</sup> and they achieved an important political success: the Slavs from *regio Zellia* stopped paying tribute to the dukes in Cividale,<sup>87</sup> and this means that they must have returned to the Carantanian political sphere. The neutral way Paul the Deacon reports on this change may indicate that this change resulted from a political agreement between the duke of Friuli and the prince of Carantania. There is however no concrete evidence in support of his assumption, as we have insufficient knowledge of the conditions and relations at the junctures of the Bavarian, Friulian, Carantanian, Slavic, and Avar worlds in the critical 735–745 period.

The examples discussed above show or at least suggest how very complex the relations at and along the border were. The struggle for

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<sup>82</sup> Paulus Diaconus, *Historia Langobardorum* VI 51 (*in Sclavorum patriam fugeret*), 52 (*in Carniolam Sclavorum patriam/.../ingressus*).

<sup>83</sup> Paulus Diaconus, *Historia Langobardorum* V 22. Attention must be drawn to the fact that two further terms refer to the Carantanian/Carinthian area in *Historia Langobardorum* IV 7, 38 though Paul does not associate them directly with the Carantanian name: *Sclaborum provincia* and *Sclavorum regio*. Cf. Bertels 1987, 92 ff., 99 ff.

<sup>84</sup> Paulus Diaconus, *Historia Langobardorum* VI 52; Bertels 1987, 113 ff.

<sup>85</sup> In the same sense Hieronymus Megiser 1612, 424 wrote that Pemmo wanted to flee to Hotimir, the prince of the Carantanians, with whom he had a peace treaty.

<sup>86</sup> Ratchis was the duke of Friuli from 737–738, when he succeeded his father, to 744, when he became king of the Lombards following Liutprand’s death (Krahwinkler 1992, 62 and note 168). The Carantanian prince Borut appears on the scene of history in the course of the fateful events for the Carantanians around 743–745, which were connected with their subjugation to the Bavarians and consequently the Franks. Prince Borut’s consolidated authority, unshaken by the radical political and religious break of the Carantanians under his leadership, allows us to move back the beginning of his rule by at least some years.

<sup>87</sup> See note 42.

control over the first and most important Lombard duchy in Northern Italy, fought between the central authority in Pavia and the regional one in Cividale in the 6th, 7th, and 8th centuries,<sup>88</sup> involved their Avar and Slavic neighbours from both sides of the border in Friulian affairs. The king's traditional allies were the khagan and his Avars, while the bearers of Friulian autonomy sought assistance with the Slavs of the Carantanian and perhaps also Carniolan territories, whose strength they matched. These local political powers from both sides of the border may have been regionally important, but they were of course not capable of grand politics.

The border, then, was not shut and bolted. People carrying information travelled across it in both directions. It was perfectly known who was who among the neighbours and where to find them. The khagan's and king's emissaries (*legati*) often travelled and we know of some of their missions. The peace of 596 between Agilulf and the khagan was made through Avar envoys that came to Milan. In 601 or 602 Agilulf's emissaries travelled in the opposite direction and made "eternal peace" with the khagan. On their way home they were accompanied by the khagan's *legatus*, who continued his peace mission with the Frankish king.<sup>89</sup> Emissaries of the Lombard king are again recorded at the khagan's seat in the 660s. In the course of their first mission they managed to convince the khagan to deny further hospitality to the refugee Perctarit, and in the second they won him over to a military intervention against the rebellious Lupus in Friuli.<sup>90</sup> In 746 the Lombard king Ratchis – the former duke of Friuli who had excellent knowledge of the conditions at the Avar border as he had raided into Carniola across it – issued a law banning envoys (*missi*) from being sent across the border without the king's approval. The itemized list of countries includes Avaria.<sup>91</sup> The law was an attempt to make contacts with the outside world dependent on the king's approval. And this would mean that the king would not only control, but in many cases simply prevent such contacts. It also shows that besides the king, lower and other holders of authority and individuals from the highest social class (*iudex aut quis-cumque homo*) established and maintained contacts abroad.<sup>92</sup>

<sup>88</sup> Cf. Brozzi 1970–71, 75 ff.; Jarnut 1982, 33 ff.; Krahwinkler 1992, 36 ff.

<sup>89</sup> See note 53.

<sup>90</sup> See notes 65 and 73.

<sup>91</sup> *Leges Ratchis regis* 9. V.; Tangl 1958, 1 ff.

<sup>92</sup> Tangl 1958, 28.



Diplomats of all sorts were not the only people travelling. The border was crossed by military contingents, craftsmen,<sup>93</sup> and not the least by political emigrants. Perctarit in the 7th century and Aio in the last third of the 8th century certainly were not the only Lombards who sought refuge in Avaria, but theirs are the only names known to us.<sup>94</sup> The examples of Arnefrit and Pemmo show that Friulian Lombards also sought political asylum with the Slavs in Carantania and perhaps also with the Slavs in the Sava basin.<sup>95</sup> There is no evidence of a reverse example – someone from Avaria seeking refuge in Italy. Only the manner in which the enigmatic Slav Vojnomir is mentioned in the *Annales regni Francorum* for 796<sup>96</sup> may suggest that he could have been an eminent refugee, but even so his career in the service of the Franks must have been extremely fast. It is indeed nearly impossible to imagine that the Franks would entrust the command over the army assembled by the Friulian duke Eric, which went to occupy the Avar Ring, to a Slav from Avaria.<sup>97</sup>

In the context of addressing the kind of people who used to cross the border, we must once more refer to Paul's history of his own extraction: as one of five brothers, taken into captivity by the Avars after the fall of Cividale in 611, only Paul's grandfather returned, while his brothers stayed in Avaria.<sup>98</sup> Whether Paul's account is historically accurate is not really important. What is essential in his account, as Harald Krahwinkler pointed out, is that it was credible to the author and his readers in the late 8th century, that is was something that really happened to (Friulian) Lombards. Taking into account the examples of Perctarit and Aio, we may then agree with Krahwinkler's cautiously formulated assumption when he does not exclude the existence of a kind of Lombard-Friulian "emigrant colony" under Avar protection.<sup>99</sup> Living among the Avars

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<sup>93</sup> See notes 54 and 56.

<sup>94</sup> See note 73 on Perctarit. On the Lombard Aio, who after the collapse of the uprising against Charlemagne led by the Friulian duke Hrodgaud fled to Avaria in 776, returned to Italy with the Frankish army under Pippin in 796, regained the confidence of Charlemagne, who returned his confiscated property in 799, participated in the Diet of Rižana in Istria as *missus* and *comes* in 804, and, finally, visited the court in Byzantium as Charlemagne's emissary in 811, see Krahwinkler 1992, 137–142.

<sup>95</sup> See notes 66 and 81.

<sup>96</sup> *Annales regni Francorum* ad a. 796.

<sup>97</sup> In this sense, see Pohl 1988, 319. See also Krahwinkler 1992, 150; Wolfram 1995, 82.

<sup>98</sup> Paulus Diaconus, *Historia Langobardorum* IV 37.

<sup>99</sup> Krahwinkler 1992, 138 and note 116.

and in the territory of their lordship naturally led to acculturation with the traditions of steppe peoples: the bow and quiver which Lopichis, Paul the Deacon's grandfather who grew up in Avaria, carried with him on his flight to Italy, may be witnesses to such a process.<sup>100</sup> In the same area under Avar rule where he was taken into captivity, the young Raduald, son of the Friulian duke Gisulf II, killed in 611, may have learned the Slavic language that he later (in 642) used to talk to the Slavic invaders of Benevento, who had sailed there from the eastern Adriatic coast and disembarked near Siponto.<sup>101</sup> Further evidence on the connections between the Lombard-Friulian region and the Avar-Slavic world are the five Lombard coins from after 568, which were found in Slovenia, in Rifnik and Kranj (of which two coins, presumably minted in Cividale, are even thought to be from the second half of the 7th century).<sup>102</sup>

The end of Lombard dominion and the establishment of Frankish rule changed the conditions at the border. The traditionally good relations between the Avar khagan and his Italic neighbours came to an end when he could not reach an acceptable *modus vivendi* with the Frankish sovereign. In 782, Avar emissaries met with Charlemagne *pacis causa* but no agreement was reached: the Frankish emperor only "listened to them and dismissed them."<sup>103</sup> Their relations were obviously deteriorating: in 776 the khagan had already given asylum to participants in the abortive uprising of the Friulian duke Hrodgaud,<sup>104</sup> in 787 he made an alliance with the Bavarian duke Tassilo III,<sup>105</sup> and the next year he ventured a failed attack along the Danube in the north as well as in Friuli in the south.<sup>106</sup> Two years later a last attempt was made to resolve the disputes between the Avars and Franks in a peaceful way. To this purpose an Avar mission travelled to Worms and Charlemagne sent his own envoys to the khagan, but no agreement was reached and this is supposed to have triggered the ensuing war.<sup>107</sup>

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<sup>100</sup> Paulus Diaconus, *Historia Langobardorum* IV 37; On the bow as a typical weapon of nomadic-steppe peoples, see Bracher 1990, 137 ff. Specifically on the weaponry of the Avars, see Hofer 1996, 351 ff.

<sup>101</sup> Paulus Diaconus, *Historia Langobardorum* IV 37, 39, 44.

<sup>102</sup> Kos P. 1981, 97 ff.; Kos P. 1981a, 584 ff.; Kos P. 1986, 229.

<sup>103</sup> *Annales qui dicuntur Einhardi* ad a. 782; Deér 1966, 755; Pohl 1988, 314.

<sup>104</sup> Krahwinkler 1992, 119 ff., especially 139.

<sup>105</sup> Wolfram 1995a, 91 ff.

<sup>106</sup> Pohl 1988, 314.

<sup>107</sup> *Annales qui dicuntur Einhardi* ad a. 788; Pohl 1988, 315.

Charlemagne's victorious and well-known Avar wars led to the collapse of the Avar khaganate and the expansion of Frankish lordship to the middle Danube. Quite soon the newly conquered territories were given a new administrative structure. The area ruled by the Friulian duke, who initially continued to have his seat at Cividale, expanded enormously. It extended from Friuli across Istria and present-day Slovenia to the area between the Drava and Sava, perhaps even to Srem, and it included the wider region of Sisak and the Dalmatian hinterland.<sup>108</sup> Italy's ancient border, separating two political spheres on the Karst's passes between the Friulian plain and the Ljubljana Basin, disappeared, but not for long. In 828, the Friulian duke Baldric was removed at the Diet of Aachen; he had defeated the rebellious prince of Lower Pannonia, Louis, but was now blamed for the Bulgar occupation of Pannonia that had occurred one year earlier. Baldric's area of administration was divided among four counts,<sup>109</sup> while the Carniola, Carantania, and Pannonia north of the Drava were annexed to the Bavarian Eastern prefecture (*plaga orientalis*), whose prefect was now made responsible for the defence of the entire southeastern border.<sup>110</sup> Italy was thus isolated from Pannonia and its border moved back to the Karst's passes.

In spite of this administrative reform, which transferred most of the Slovene territory to the Bavarian political sphere for a long time to come, the period following the end of the Avar wars established the conditions that connected the area with Friuli for nearly a millennium. The Drava was made the border between the Salzburg and Aquileian ecclesiastical provinces in Pannonia in 796, followed by Carantania in 811.<sup>111</sup> The Christianisation of the inhabitants of the newly conquered territories, whose basic guidelines had been agreed somewhere at the Danube in Pannonia in 796 by the bishops – among them the Aquileian patriarch Paulinus and the Salzburg bishop

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<sup>108</sup> The extreme "borders" of the area that fell under the command of the duke of Friuli are above principally indicated in the elegy of patriarch Paulinus on the death of Duke Eric, who was killed near Tarsatica (Trsat near Rijeka) in 799 (*Versus Paulini de Herico duce*, 131–133) and in the *Annales regni Francorum* ad a. 818–823, and their description of the uprising of Prince Louis of Lower Pannonia. See Krahwinkler 1992, 154 ff., 186 ff.; Wolfram 1995a, 218 ff., 241 ff.

<sup>109</sup> *Annales regni Francorum* ad a. 828.

<sup>110</sup> Wolfram 1995a, 218 ff., 223.

<sup>111</sup> *Conversio Bagoariorum et Carantanorum*, c. 6; D. Kar I., no. 211.

Arno – who had accompanied Pippin on his military campaign into Avaria, could now start.<sup>112</sup> Unlike Salzburg's activities in Pannonia, almost nothing is known about the Aquileian mission there. It seems that Aquileia put much more effort in the task for which Alcuin had summoned his friend, Patriarch Paulinus, only at the time of the patriarchs Ursus and Maxentius in the first decades of the 9th century, and that Paulinus preferred to send his missionaries not to Pannonia but instead to the closer and less dangerous Slavic areas of south Carantania and Carniola.<sup>113</sup> One of these Aquileian missionaries – and the only one known by name – may have been a certain Blancidius, who in 801 felt like a “croaking frog in a swamp” in the mountainous land of the Slavs this side of the Danube, whose language he did not know, and who greeted his Italian friends calling himself *Noricus*.<sup>114</sup>

Nevertheless, in the same way as soldiers and missionaries left for the east, pilgrims travelled west to Friuli. Their destination was an unknown monastery (probably S. Canzian d'Isonzo), where an evangeliary was kept that was believed to contain the autograph of Mark's Gospel. The margins of this codex, worshipped as a relic and today known as the Cividale Evangeliary, reveal the names of numerous pilgrims from the second half of the 9th and the early 10th centuries,<sup>115</sup> who came from the vast region of the eastern Alps, eastern Adriatic coast, and Pannonia with Danube Basin, and vividly illustrate the connecting role Friuli had at that time as well as later.<sup>116</sup>

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<sup>112</sup> *Conventus episcoporum ad ripas Danubii*.

<sup>113</sup> Dolinar 1988, 135 ff.; Bratož 1990, 50 ff.; Bratož 1993a, 175 ff.; Krahwinkler 1992, 158 ff.

<sup>114</sup> Appendix at Alcuini epistolae, no. 2. Opinions diverge on Blancidius, who was also claimed to be Alcuin's disciple: to some he was an Aquileian missionary, to others a Salzburg missionary. See Krahwinkler 1992, 164.

<sup>115</sup> *Codex Forouliensis*, 245–277.

<sup>116</sup> On the role of Friuli as “contact zone” in the High Middle Ages, see recently Härtel 1995, 291 ff.

## CHAPTER TWELVE

### ISTRIA AT THE ONSET OF THE FRANKISH RULE, OR THE IMPACT OF GLOBAL POLITICS ON REGIONAL AND LOCAL CONDITIONS

Merely two sources provide direct information on the initial period of Frankish rule in Istria that lasted about fifteen years (788?–804). The first is Charlemagne's letter to his wife Fastrada from September 791. He writes, among others matters on an attack by the Frankish army that crossed the eastern border of Italy in August of the same year and destroyed an Avar border post, presumably located somewhere in the area of present-day western Slovenia and on the main communication route – the old Roman road between Aquileia and Emona – connecting the Po valley with the Pannonian region. The attack, carried out in the manner of a *blitzkrieg* and most likely aimed at diverting the attention of the Avars from the Danube basin, where the Franks under Charlemagne's personal command had concentrated the bulk of their forces for an impending attack on the khaganate, was joined by the duke of Istria (*dux de Histria*), unknown by name, and his military contingent (*cum suis hominibus*).<sup>1</sup>

The second source that testifies to Frankish presence in Istria is the famous document of the Diet of Rižana<sup>2</sup> that was probably held in 804.<sup>3</sup> This eminent document, which has fascinated and attracted European historians for over a century with unabated intensity,<sup>4</sup> clearly shows that the new Frankish rule caused great changes to the life of the Istrians in a relatively short period. The radical interference with their old rights and customs aggravated their economic and political situation to the level that conflict erupted between the provincial representative of the

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<sup>1</sup> Epistolae variorum Carolo Magno regnante scriptae, no. 20; see Krahwinkler 1992, 148 ff., 200. Charlemagne's letter to Fastrada must be given priority as a source over Annales Laureshamenses ad a. 791, which may suggest that it was a larger military campaign and penetrated farther into the interior of the Avar khaganate. See Pohl 1988, 316 and note 52; Bratož 1999, 83 and note 22; Hauptmann 1929, 337 ff.; a dissenting opinion is in Deer 1967, 765 and note 338.

<sup>2</sup> Placitum Rizianense.

<sup>3</sup> Krahwinkler 2004, 22 ff.

<sup>4</sup> See Krahwinkler 2004, 11 ff.

new rulers, Duke John (*dux Ioannes*) and the local church, represented by the Istrian bishops, on the one hand, and the local population – in particular the leading class made up of the bearers of economic and political power – on the other hand. The conflict escalated to the point where only direct intervention from no one less than the Frankish king, Emperor Charlemagne himself, could offer a solution.<sup>5</sup> The protocol of the diet, led on behalf of the emperor and his son Pippin, the king of Italy, by three *missi*, thus not only bears witness to the changes in Istria and the hardships of its inhabitants, but also confirms that Charlemagne was willing to hear their complaints and appease the conflict. The causes that first led to the escalation of the conflict and later to its settlement cannot properly be understood unless we place the events in Istria in a wider context, and view the entire matter from the broader viewpoint of the developments that left their mark on the vast area between the northern Adriatic Sea and the middle Danube basin at the turn of the 9th century.

These developments were marked by Charlemagne's Frankish expansion politics. In the early summer of 774 he occupied Pavia and had himself crowned king of the Lombards, though he was to achieve final control over the former first Lombard duchy of Friuli only in 776, when his army quashed the rebellion of the local duke Hrodgaud.<sup>6</sup> For the first time, the Franks were now the immediate neighbours of the Avars who controlled the valley of the Sava in Slovenia up to the Karst passes in the west. When Charlemagne deposed the last duke of Bavaria, Tassilo III, twelve years later (788) and subjugated Agilulfian Bavaria<sup>7</sup> – to which Carantania was subjected – two hegemonic powers controlling Central Europe confronted one another along the entire line from the Austrian Danube basin in the north to the Adriatic Sea in the south: the Frankish Empire and the Avar khaganate.

Whether Charlemagne occupied Byzantine Istria in the same period as Bavaria (788) is not clear, but it is highly likely.<sup>8</sup> In any case, the occupation must have occurred at latest by the late summer of 791, when a contingent from Istria participated in the Frankish army's attack on an Avar border post.<sup>9</sup> Frankish influence was, however, felt in Istria

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<sup>5</sup> Esders 1999, 49.

<sup>6</sup> See Krahwinkler 1992, 119 ff.

<sup>7</sup> Wolfram 1995a, 90 ff.; Jahn 1991, 522 ff., especially 540 ff.; Becher 2005, 39 ff.

<sup>8</sup> See Margetić 1994, 8 ff.

<sup>9</sup> See note 1.

already in the second half of the 770s, in the period immediately preceding the pacification of insurgent Friuli in 776, when Frankish rule expanded to the borders of Byzantine Istria, not just those of the Avar khaganate. It was then that bishop Mauritius, who had his seat in Novigrad,<sup>10</sup> at Charlemagne's request collected Peter's pence (*pensionēs beati Petri*) in Istria for the Roman curia.<sup>11</sup> This fact alone feeds the suspicion that Charlemagne had his eye on Istria too, although he had promised the province – at least that is what the papal curia claimed – to the popes of Rome and the state of St Peter before he was crowned king of the Lombards.<sup>12</sup> As a result, local Istrian Greeks – assisted by Roman(ized) Istrians – blinded the unfortunate bishop, accusing him of wanting to deliver Istria to Charlemagne. Pope Hadrian I, who wrote on these events to the Frankish king, sent the blinded bishop to Marcarius, the duke of Friuli, in the hope that he would be able to return to his Istrian bishopric on Charlemagne's order.<sup>13</sup>

Regardless of when exactly Charlemagne expanded his dominion to Istria, the first reliable evidence we have of the peninsula being ruled by the Franks indicates that, right from the beginning, its inhabitants were incorporated into the Frankish military machine that was to destroy the Avar khaganate over the following years and expand the Frankish Empire to the Pannonian and Western Balkan regions. The lightning occupation of an Avar border post in late August 791 was indeed but the overture to a war that lasted many years, and whose first climax was the Frankish military campaign into Avaria led by Charlemagne himself. His great army, consisting of a detachment on either side of the Danube and a river fleet, gathered in Lorch and crossed the Avar border on the Enns in late September 791. The campaign lasted a month and a half and reached the Raab River in Pannonia without major clashes, but then had to return home because of the imminent winter and a raging horse pest that killed most of the army's horses.<sup>14</sup>

Although this campaign far into hostile territory was largely untroubled, it failed to achieve its military objective of destroying the khaganate. The Avar wars thus had to remain on the agenda of Charlemagne's politics. As is suggested by the fact that he remained in Regensburg

<sup>10</sup> Cuscito 1988–1989, 63 ff.

<sup>11</sup> Codex Carolinus, no. 63; Documenti relativi alla storia di Venezia 1, no. 35.

<sup>12</sup> Documenti relativi alla storia di Venezia 1, no. 33.

<sup>13</sup> See Krahwinkler 1992, 144 ff.; Bratož 1994, 60.

<sup>14</sup> Pohl 1988, 315 ff.; Wolfram 1995a, 235 ff.

until the end of 793 and by the extensive preparations for the following period – these included the construction of a special mobile pontoon bridge, the mobilisation of troops in Aquitaine, as well as the start of the construction of the Rhine-Main-Danube Canal for supplying the army – Charlemagne was determined to force a final solution as soon as possible. However an uprising of the Saxons, battles with the Saracens, as well as a conspiracy by his oldest but illegitimate son, Pippin the Hunchback, required his engagement elsewhere, and the regrouping of his troops for a decisive campaign was therefore postponed year after year.<sup>15</sup>

The respite granted to the Avars was of little use for a possible (re) organisation of their defences. Frankish pressure led to irreparable internal conflicts culminating in a civil war in which both leading Avar princes, the khagan and the jugur, were killed, and the tudun, who was a further member of the highest holders of power in Avaria, consented to subject his people and land to Charlemagne and adopt the Christian faith in 795.<sup>16</sup> In the same year the Franks exploited the enemy's weaknesses for a rather adventurous campaign, whose principal initiator was in all probability the Friulian duke Eric. Not a great army, but a small-scale lightning military operation was to deliver the fatal blow. To this purpose Eric organised a fast-moving military unit that was to set off from Friuli and penetrate right into the heart of the khaganate between the Danube and Tisa. He entrusted the command over these elite Frankish troops, which reached the Avar Ring already in the autumn of 795 and plundered part of the legendary Avar treasure, to the enigmatic Slav Vojnomir.<sup>17</sup> Nearly three centuries after the offensive down the Sava by Theodoric the Great, the king of the Ostrogoths, in 504 – when he wrested part of *Pannonia Secunda* including its capital Sirmium from the Gepids<sup>18</sup> – this was to be the first military campaign starting from Italian soil into Pannonia and the middle Danube basin. The Avars, whose principal military strengths had always been speed and surprise, were defeated at their own game.

The military campaign on a larger scale of the next year, led by Charlemagne's son Pippin, the king of Italy, and joined by the patriarch of Aquileia, Paulinus – as well as contingents from Bavaria and

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<sup>15</sup> Pohl 1988, 318 ff.; Wolfram 1995a, 236 ff.

<sup>16</sup> Deer 1967, 759 ff.; Pohl 1988, 318.

<sup>17</sup> *Annales regni Francorum* ad a. 796; Pohl 1988, 319; Krahwinkler 1992, 150.

<sup>18</sup> Wolfram 1990a, 318 ff.



Alemannia, accompanied by the Salzburg bishop Arno – merely confirmed a *fait accompli*: the new Avar khagan and his dignitaries surrendered to the Franks at the Danube, where the army had set up camp. It was here that a special synod adopted new guidelines for the Christianisation of the newly conquered territory and its inhabitants, assigned to either Aquileia or Salzburg, the missionary territories of which were divided by the Drava River.<sup>19</sup> Pippin's army once more occupied the Ring and plundered the rest of the Avar treasure.<sup>20</sup>

The conditions in this vast newly conquered territory, extending from the Bohemian area to the Dalmatian hinterland and from the borders of Italy to the Danube in Pannonia, were however far from under control and Avar power was not yet entirely broken. As a result, the Friulian duke Eric and his army, consisting of Lombard (Italic) and Frankish troops, again had to fight the Avars in 797 and defeated them, but in the summer of 799 a large Avar uprising broke out. Both Frankish commanders in charge of the defence of the eastern borders were killed. During the military campaign, the Friulian duke Eric, one of Charlemagne's most eminent paladins, was killed in an ambush by the inhabitants of the town of Tarsatica in the immediate hinterland of Istria, while the Bavarian prefect and commander of the northern section of the Avar border, Gerold I, met with his death somewhere in Pannonia.<sup>21</sup> The continuing unrest in Pannonia claimed new prominent victims in 802. This time they were the margraves Goteram and Cadaloh, who were killed by the Avars together with many members of their escort. The defeat of 802 prompted the Frankish army to march again into Pannonia the next year. Charlemagne considered the matter of such import that he travelled from Salz on the Saale River, where he had met with the patriarch Fortunatus of Grado in the summer of 803, to Bavaria "on account of the Pannonian affairs," and awaited the return of the army in Regensburg.<sup>22</sup> The returning army was accompanied by the Avar *tudun* and numerous Avars and Slavs who subjected themselves to the emperor. This put an end to the uprisings of the Avars, who from then on were constantly on the defensive and exposed to ever increasing pressures from the Slavs, to the point that the Frankish

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<sup>19</sup> The sources are collected in: Gradio 1, nos. 301–307. Pohl 1988, 319 ff.; Krahwinkler 1992, 148 ff.; Wolfram 1995a, 238 ff.; Bratož 1999, 85 ff.

<sup>20</sup> Hardt 2004, 42 ff.

<sup>21</sup> *Annales regni Francorum ad a. 799.*

<sup>22</sup> *Annales regni Francorum ad a. 803.*

army had to intervene in Pannonia in 811 to protect them from the Slavs.<sup>23</sup>

For over a decade, war and war conditions thus set the tone for the developments in the area between Italy and the Danube in the east. As mentioned above, the decisive military campaigns that sealed the fate of the Avar khaganate set off from Friuli in 795 and 796, turning it into a base for military operations on the largest scale. There can be no doubt that Istria, whose military contingent led by the provincial duke had already taken part in the first military campaign into Avaria in the late summer of 791, must have felt the consequences of the war and the preparations for it, and that it had to carry its part of the burden – in people as well as material resources. Living with and for war exhausted the people and the land, demanding all available strength, the adaptation of the economy, and centralisation of decision-making. To achieve these goals and abide by the orders of the Frankish centre of power headed by Charlemagne required the introduction of numerous changes to everyday life. Together with Friuli and Bavaria, Istria constituted what amounted to the first front line of Frankish eastward expansion and could not escape from these changes. We can imagine that these highly exposed areas were living in a constant state of war at the time, and we must therefore address the issue of to what extent the complaints of the Istrians at the Diet of Rižana in 804 derived from this state or from the changes it caused.

One complaint of the Istrians that was obviously related to the military situation in the wider area was that Duke John forced them to participate in military campaigns together with their bondsmen (*servi*).<sup>24</sup> The Avars certainly, if not primarily, figured among the *hostes*, the enemies mentioned in this connection. The Istrians – or rather their political and economic elite – were especially upset by the fact that Duke John recruited soldiers regardless of their legal and social status. In the background of this escalation we can see John's policy of introducing general conscription, as was practised elsewhere in the Frankish Empire.<sup>25</sup> The confiscation of horses, which John either gave to his soldiers (*sui homines*) or sent them *in Franciam*, also had an

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<sup>23</sup> Deer 1967, 725 ff.; Pohl 1988, 320 ff.; Krahwinkler 1992, 152 ff.; Wolfram 1995a, 239 ff.

<sup>24</sup> Placitum Rizianense 76/23.

<sup>25</sup> Esders 1999, 84.

obvious military connotation.<sup>26</sup> Providing horses to the Frankish cavalry must have been particularly important and urgent in times when contagious diseases were decimating the horse stock. And that is what happened to Charlemagne's army on its campaign into Pannonia against the Avars in 791, when the army lost nine tenths of its horses due to *equorum lues*.<sup>27</sup> The complaints of the Istrians that their horses were sent to Franconia may have been connected with the after-effects of the campaign.

These two complaints – forced participation in military campaigns together with their bondsmen and the confiscation of horses – are not isolated or set apart in the document of the Diet of Rižana; together with other items they constitute a special body of the complaints the Istrians voiced against Duke John in front of the emperor's envoys and are included in a special chapter (.ii. *kapitulo*) of the charter. In addition to them, the Istrians denounced in this chapter the duke's abolition of the tribunate (*tribunatus*) and appointment of centarchs (*centarchi*), and also that he had banned them from having freemen (*liberi homines*), deprived them of their freed men (*liberti*), settled foreigners in their homes (*advenae homines*) over whom they had no authority at all, and that he had taken their *scusati* (= *excusati*, exempted subjects) from them.<sup>28</sup>

This entire set of complaints derived from the new military organisation on the peninsula as Duke John had restructured it internally, based on the authority delegated to him by the emperor.<sup>29</sup> The tribunate he abolished was not just the office of the tribune but included lower offices in the form of *domestici*, *vicarii* and *locoservatores*.<sup>30</sup> These were elected offices in the Istrian towns, and those who were elected to them belonged to the domestic aristocracy of wealthy landlords. In accordance with the early medieval Byzantine system of administration the practice amounted to militarised urban self-management or, in other words, civil administrative matters, too, were concentrated in the hands of army officers, and the town's tribunes, *domestici*, *vicarii* and *locoservatores* were indeed officers.<sup>31</sup> In addition to being responsible for

<sup>26</sup> Placitum Rizianense 78/38 ff.

<sup>27</sup> Annales qui dicuntur Einhardi ad a. 791.

<sup>28</sup> Placitum Rizianense 74 ff./13–27.

<sup>29</sup> Esders 1999, 80 ff.

<sup>30</sup> Margetić 1993, 417.

<sup>31</sup> Mayer 1903, 261 ff.; Mayer 1909, 131; Ferluga 1987, 167.

the organisation of tax collection in the territory of his town, and the circumstance that his role in the judiciary is not quite clear, the tribune was the highest military commander of the troops provided by the town.<sup>32</sup> It is therefore quite understandable that the abolition of the tribunate highly upset the Istrians because it eliminated their urban self-government and threatened the very source of their power; furthermore, these measures thwarted – and this was most likely their principal intention – all independent or autonomous operation by the town authorities in military affairs. The new military commanders introduced by Duke John were centarchs,<sup>33</sup> who were lower ranked than the tribunes and, above all, were not elected to their offices. It is quite feasible that Duke John appointed his sons and son-in-law to these officer positions.<sup>34</sup>

When Duke John prohibited the Istrian towns from having freemen (*liberi homines*), deprived the Istrians of their freed slaves (*liberti*), settled foreigners in their homes (*advenae homines*), and forbade the (former) holders of town self-management (*omnis tribunus*) to have exempted subjects (*scusati*),<sup>35</sup> all these measures pursued one and the same goal – to centralise the province's military organisation and make it more efficient. The *liberi homines* were probably nothing more than free or private warriors, who had subjected themselves to a (private) lord through the act of commendation and were as such beyond the reach of the direct military authority of the provincial duke.<sup>36</sup> In the same way as he started to recruit soldiers without making any difference between lords and their bondsmen, Duke John expanded general conscription to the freed slaves (*liberti*) he took from the prosperous Istrians, and the exempted subjects (*scusati*) of the tribunes whose authority had been curtailed. The *scusati* – every tribune was entitled to have five or more of them – were subjects who were exempted from military service on account of the tasks they performed for the tribunes.<sup>37</sup> The foreign people, *advenae homines*, whom John probably

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<sup>32</sup> Esders 1999, 82.

<sup>33</sup> Centarchs were officers of lower rank than a tribune in the East Roman army and should not be mistaken for Frankish *centenarii*; see Mayer 1903, 243 and 266 ff.; Krahwinkler 2004, 37. This measure by Duke John again shows that the changes involved internal restructuring of Istria's military organisation, and were not a "Frankish import."

<sup>34</sup> Esders 1999, 83.

<sup>35</sup> Placitum Rizianense 76/22–27.

<sup>36</sup> Esders 1999, 84 and note 81.

<sup>37</sup> Mayer 1903, 265; Esders 1999, 84.

settled on the (communal) property of the Istrians (and not on their private estates) and over whom they had no authority, may again have been people who were designated for military service, had subjected themselves to the duke through commendation, and thus freed themselves from any authority the Istrians had over them.<sup>38</sup> Settling Slavs on municipal (communal) land jointly owned by individual towns or *castella* – in his defence, Duke John claimed that he had thought the land to belong to the fisc, that is to be state property – may have been another for measure pursuing military aims in addition to colonisation and economic interests.<sup>39</sup>

A further aspect of the restructuring of the province's military organisation were taxes and services, where the Istrians faced not only new and higher demands, but the expansion of these obligations to groups formerly exempted from them additionally contributed to erasing the class and social boundaries within individual towns and *castella*. The Istrians pointed out that they performed all these service obligations (*angaria*) and paid extraordinary taxes (*superposita, collecta*) under coercion and in conflict with their old customs, and that this not only brought shame on them but also drove them into poverty.<sup>40</sup>

Of the new taxes the Istrians had to pay in money or kind, *fodrum*,<sup>41</sup> often paid in kind as horse feed, was most obviously a military tax and it was an equivalent of the *annona militaris* tax from Late Antiquity.<sup>42</sup> Service obligations of a military nature included dog breeding, navigation on the Adriatic Sea and rivers, presumably connected with the logistic requirements of the army;<sup>43</sup> and horse carting, which the Istrians had to perform over distances of thirty and more miles, probably had the same purpose.<sup>44</sup>

The causes that led to the frustrations of the Istrians and their bitter conflict with the provincial representative of the imperial authorities were thus not merely a consequence of the change from Byzantine to Frankish rule, which is thought to have started off feudalisation and the

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<sup>38</sup> Esders 1999, 85.

<sup>39</sup> Esders 1999, 85.

<sup>40</sup> Placitum Rizianense 78 ff./5–19.

<sup>41</sup> Placitum Rizianense 76/27.

<sup>42</sup> Brühl 1968, 534 ff.; Esders 1999, 87 and note 88.

<sup>43</sup> Placitum Rizianense 76/29, 32–33.

<sup>44</sup> Placitum Rizianense 78/34–38.

ensuing changes in Istrian society,<sup>45</sup> or merely the result of Duke John's high-handedness, corruptness, nepotism, or general perfidy, as is usually claimed. These causes were largely rooted in the military and political situation of the wider area in the last decade of the 8th century, requiring ever increasing material and human resources. And it was Duke John's operational responsibility to provide them at the provincial level. To this purpose he had to adopt and enforce a range of measures – and he certainly did so in a very brutal way – but their aim was to create a more efficient military organisation in the province than was possible under the existing system he found in place, because it was based on urban self-management in the hands of the local aristocracy. By abolishing the tribunate he centralised and strengthened the power of the central military command, he sought to cover the increasing costs and requirements with higher and new taxes and obligations, and by extending conscription and settling new people he strove to obtain new recruits.

A side effect of his measures was that Istria was completely thrown off its social, economic, and political balance. Such a situation, affecting the old elite as well as wider groups of the population, naturally generated deep resentment and unrest with unforeseeable consequences, especially in view of the tensions between the Byzantines and Franks and the positioning of the two powers on the northern Adriatic Sea.

The relations with Byzantium were therefore the second axis of Frankish politics directly involving Istria. From the fall and loss of the Exarchate of Ravenna in 751, Byzantium continued to lose its positions on the northern Adriatic Sea, while the Frankish side was acquiring them in almost reverse proportion.<sup>46</sup> The Franks occupied Byzantine Istria at the latest by 791, and at about the same time, as part of the Avar campaign, they also established control over the predominantly Slavic hinterland of Dalmatia, placing the local Byzantine coastal towns under pressure.<sup>47</sup> Venice, the only remaining area of Byzantine rule in the far

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<sup>45</sup> See e.g. Hlawitschka 1960, 212; Vilfan 1991, 59. For views dissenting from excessively one-sided emphasis on the introduction of Frankish feudalism and its generally overestimated significance as a cause of the conflict situation in Istria, see Mayer 1903, 266; Esders 1999, 90; Krahwinkler 2004, 18. The measures introduced in Istria by Duke John were primarily from the usual repertoire of Late Antiquity's military and financial policies, used by the Byzantines as well as the first Carolingians, where the heaviest burden of military campaigns had to be carried by the population of their countries.

<sup>46</sup> See Classen 1988, 89 ff.; Classen 1988a, 5 ff.; Ferluga 1988, 169 ff.

<sup>47</sup> Ferluga 1978, 87 ff.; Goldstein 1992, 150 ff.

north of the Adriatic Sea after the loss of Istria, was a particularly sensitive issue.<sup>48</sup> The coastal and lagoon world between Grado and Chioggia (*Venetia maritima*), whose centre was in Malamocco (and not yet in Rialto i.e. Venice), had won increasing autonomy from the Byzantine capital, but was under pressure from all sides by its Frankish hinterland after the Franks occupied the Lombard kingdom and Istria. By granting immunity and confirming the possessions of the patriarch John of Grado (d. 802), Charlemagne probably interfered with Venetian affairs authoritatively for the first time already before 800.<sup>49</sup>

Frankish influence certainly continued to increase in the lagoons around 800 as one part of the Venetian aristocracy sought backing from the Franks in the town's internal struggle for political power.<sup>50</sup> The patriarch of Grado, John, belonged to this circle and had been at least in indirect contact with Charlemagne already in 775.<sup>51</sup> When, in 798, he refused to ordain the doge's candidate, the Greek Christopher, as the new bishop of Olivio, open conflict erupted which was temporarily ended when the young doge Mauritius II, the son of the ruling doge John, sailed to Grado with a fleet in 802 and killed the patriarch.<sup>52</sup> His appointed successor was Fortunatus,<sup>53</sup> to whom Pope Leo III granted the pall in March 803.<sup>54</sup> The appointment of a close relative of the murdered patriarch at the head of the Church of Grado sent out a clear political message of defiance to the ruling doges John and Mauritius. In the spring of the same year, Fortunatus left for Frankish territory in nearby Treviso with a group of pro-Frankish tribunes and other *Venetorum maiorum*; from there he continued his journey to Charlemagne, whom he met in Salz (present-day Bad Neustadt) on the Franconian Saale in the summer of 803.<sup>55</sup>

The two charters Charlemagne granted to the church of Grado on this occasion were clear evidence of the support the patriarch Fortunatus enjoyed from the emperor, to whom he had given rich and

<sup>48</sup> See Kretschmayr 1905, 31 ff.; Carile, Fedalto 1978, 224 ff.; Ortalli 1980, 369 ff.

<sup>49</sup> Regesta imperii 1/1, no. 838; see Classen 1988a, 91; Krahwinkler 1992, 179.

<sup>50</sup> Classen 1988a, 91.

<sup>51</sup> Documenti relativi alla storia di Venezia 1, no. 34.

<sup>52</sup> Iohannes Diaconus, Chronicon Venetum, 99 ff.; Kretschmayr 1905, 43 ff.

<sup>53</sup> Details on this exceptional figure from the northern Adriatic area in the early 9th century were most recently published in Krahwinkler 2004, 20 ff.; Krahwinkler 2005, 63 ff.

<sup>54</sup> Documenti relativi alla storia di Venezia 1, no. 37.

<sup>55</sup> Carile, Fedalto 1978, 233; Ortalli 1980, 377 ff.; Krahwinkler 2005, 66 ff.

beautiful presents upon his arrival.<sup>56</sup> Charlemagne's first charter confirmed the possessions of the Church of Grado and granted it immunity:<sup>57</sup> his second charter exempted four ships of the patriarch from paying tolls.<sup>58</sup> To Fortunatus, however, the most important matter must have been that Charlemagne addressed him in the second charter with the title *Venetiarum et Istriensium patriarcha*, and thus effectively confirmed him as the metropolitan of Istria.<sup>59</sup>

The issue of the ecclesiastical affiliation of Istria, which was traditionally subordinated following the double election of patriarchs in 607<sup>60</sup> to the patriarch whose seat was in Byzantine Grado, and not to the patriarch in Lombard Aquileia or Cividale,<sup>61</sup> became again pressing after the Lombard occupation of the peninsula in the third quarter of the 8th century. Under the patronage of the Lombard authorities, the Istrian Church segregated from the metropolitan authority of the patriarch of Grado around 770, and for some time even enjoyed an almost autocephalous status as its bishops simply ordained one another.<sup>62</sup> Though Pope Stephen III intervened resolutely in favour of the patriarch of Grado,<sup>63</sup> ecclesiastical matters in Istria neither calmed down nor were they solved. The bitter conflict between the patriarch of Grado and his Istrian suffragans was, of course all grist to the Aquileian mill, as Aquileia had started to establish and strengthen its position in Istria already before the province came under Frankish rule. The protocols of the synod of Mantua in 827 contain a decree of the clergy and citizens of Pula, asking the patriarch of Aquileia, Sigualdus (d. 787), to ordain the bishop they had elected,<sup>64</sup> and this is first-rate evidence of the increased influence of Aquileia on the peninsula. When Istria fell under Frankish rule, the situation from the earlier period of Lombard rule was re-established, the patriarch of Grado found himself once more in another state than his Istrian suffragans, and Aquileia located in Frankish territory gained even better option to succeed in her aspiration.

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<sup>56</sup> *Regesta imperii* 1/1, no. 398b.

<sup>57</sup> D. Kar I., no. 200.

<sup>58</sup> D. Kar I., no. 201.

<sup>59</sup> Krahwinkler 2001, 69.

<sup>60</sup> For the earlier history, see Štih 2001b, 18 ff.

<sup>61</sup> Fedalto 1999, 120 ff.

<sup>62</sup> Bratož 1994, 58 ff.; Krahwinkler 2001, 68 ff.

<sup>63</sup> *Documenti relativi alla storia di Venezia* 1, nos. 31, 32.

<sup>64</sup> *Concilium Mantuanum*, 586 ff.; Krahwinkler 1992, 177.



It was therefore highly important to patriarch Fortunatus that his efforts to acquire metropolitan status in Istria should gain the widest possible legitimacy. Around 770 the pope made it quite clear in his letter to the Istrian bishops that they had been of old *sub iuris districtione ac consecratione* of the patriarch of Grado,<sup>65</sup> confirmation was granted by Charlemagne in 803,<sup>66</sup> and the Istrians themselves confirmed this status in the form of a legal instruction at the Diet of Rižana.<sup>67</sup>

The document of the Diet of Rižana in any case shows that there were no disputed issues between the Istrians and patriarch Fortunatus. Moreover, they not only supported his efforts to strengthen Istria's metropolitan status, but also exempted his church from all taxes it had to pay in Istria in accordance with common law.<sup>68</sup> In the given situation, where the Istrians complained elsewhere that Duke John's new tax burden had driven them to the brink of ruin, such generosity towards the patriarch would have been totally beyond comprehension, if it were not for the assistance Fortunatus promised the Istrians and the support he gave them in exchange (*in vestro fui adiutorio et nunc esse vollo*).<sup>69</sup> If we try to imagine what this support amounted to, it probably meant that the Istrians had managed to win over the patriarch of Grado in the matter that was of the highest importance to them in the escalated situation on the peninsula – that he mediated with the emperor on behalf of their interests.<sup>70</sup> We can therefore assume with near certainty that this was one of the reasons for Fortunatus's visit to Charlemagne in Salz. It was indeed there that the Istrian matter gained urgency, because envoys of the Byzantine emperor Nicephorus had arrived in Salz shortly before the patriarch and, after having received a document whose content was a kind of proposal peace treaty, *pactum faciendae pacis*, returned to Constantinople by way of Rome.<sup>71</sup> Though the content of the letter the Byzantine envoys carried home is not known, the fact alone that there had been discussions on concluding a peace treaty suggests that the negotiations included the Byzantine-Frankish delimitation on the northern Adriatic Sea.

<sup>65</sup> Documenti relativi alla storia di Venezia 1, no. 31.

<sup>66</sup> D. Kar. I., no. 201.

<sup>67</sup> Placitum Rizianense 68 ff./31–5.

<sup>68</sup> Placitum Rizianense 68/21.

<sup>69</sup> Placitum Rizianense 68/21.

<sup>70</sup> Esders 1999, 92.

<sup>71</sup> Annales regni Francorum ad a. 803; Regesta imperii I/1, no. 398b.

This delicate global situation meant that the situation in Istria, which could well escalate in an undesirable direction and weaken the Frankish position on the northern Adriatic Sea, carried considerable political weight. As the document of the Diet of Rižana shows, the general mood in Istria was such that the period of Byzantine rule was thought of as the “good old times,” and the Franks were rightly worried that this might open the way to Byzantine influence or even to the revival of their domination over the peninsula. After all, the fates of the bishop of Novigrad, Mauritius, and the duke of Friuli, Eric, were ominous signs. The first, who collected Peter’s pence across Istria on behalf of Charlemagne, was blinded by *nefandissimi Graeci*, who feared that Istria would fall to the Franks, in the second half of the 770s;<sup>72</sup> the latter was killed in 799 in an ambush near Tarsatica in Liburnia, which belonged to the sphere, if not dominion, of Byzantium, and it can therefore not be excluded that his death was instigated by Constantinople.<sup>73</sup>

The conflictual situation in Istria in the early 9th century thus suddenly posed a possible risk to Frankish politics that had to be eliminated. Resolving the conditions in Istria necessarily became one of Charlemagne’s political priorities for the northern Adriatic, and it is almost certain that the decision to call the Diet of Rižana fell during the visit of patriarch Fortunatus in Salz in August 803.<sup>74</sup> The diet’s abolition of most measures introduced by Duke John and the local bishops, followed by the re-establishment of the old autonomy and consequently the political power of the town elites, calmed down the situation in Istria. The Diet of Rižana thus constituted an important phase in the Frankish political concept of securing hegemony on the northern Adriatic.

In the same year of 804, a pro-Frankish party that had fled into exile to Treviso in 803 seized power in Venice and instead of the doges John and Mauritius, who had fled the city, installed Obelierus (Willeri) from Malamocco, who appointed his brother Beatus as co-ruler.<sup>75</sup> The new doges travelled to Charlemagne in Diedenhofen (Thionville) right after the Christmas of 805, accompanied by two envoys from Dalmatia: the (town) duke of Zadar, Paul, and the local bishop Donatus. Given that

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<sup>72</sup> Codex Carolinus, no. 63.

<sup>73</sup> Katičić 1998, 319 ff.; Krahwinkler 2004, 20 and note 19.

<sup>74</sup> See Esders 1999, 72; Krahwinkler 2004, 23; Krahwinkler 2005, 66 ff.

<sup>75</sup> Kretschmayr 1905, 54 ff.; Ortalli 1980, 378.

on this occasion the emperor issued his *Ordinatio de ducibus et populis tam Venetiae quam Dalmatiae*,<sup>76</sup> the visit must have meant the formal subjugation of Byzantine Venice and Dalmatia to Charlemagne's authority.<sup>77</sup> Surprisingly, the law on the division of the empire (*Diviso regnorum*), issued just one month later in Diedenhofen, which assigned the greatly increased Italic kingdom to Pippin after his father's death, makes no mention at all of the provinces of Venice and Dalmatia.<sup>78</sup> The law, however, does not mention Istria either, and as it had formerly belonged to Byzantium – which of course did not recognise the Frankish occupation of the *de iure* still Byzantine provinces on the Adriatic Sea – the reason for the absence of these provinces in *Divisio regnorum* may well be imagined in the context of the protracted and complex peace negotiations between the two empires.

Whatever may have been the reason for the absence of Dalmatia, Istria, and Venice from the *Diviso regnorum*, the Frankish subjugation of coastal Dalmatia and Venice pushed Byzantium to the point where diplomacy had to make way for armed intervention. A Byzantine fleet sailed into the Adriatic Sea in late 806, occupied Dalmatia, and blocked Venice. The king of Frankish Italy, Charlemagne's son Pippin, was forced to negotiate a truce with the Byzantine admiral Nicetas, which effectively restored Byzantine control over Venice. After the truce expired in late 808, hostilities again broke out and Pippin managed to occupy large parts of the lagoons with his army in 809; in 810 the Byzantine emperor sent envoys to Pippin to negotiate peace in Italy. Little before their arrival, however, Pippin died on July 8th, 810, and the envoys continued their journey to Charlemagne. The emperor now wanted to conclude a general peace with Byzantium, including recognition of his imperial title and in exchange he was willing to renounce Venice and the Dalmatian coastal towns, which he was not capable of holding on to anyway, because of Byzantium's naval supremacy.<sup>79</sup> In 811, a Frankish mission travelling to Constantinople to continue the negotiations<sup>80</sup> included count Aio, a Lombard from Friuli with a turbulent career,<sup>81</sup> who had already participated at the Diet of Rižana as an

<sup>76</sup> *Annales regni Francorum* ad a. 806.

<sup>77</sup> Ferluga 1978, 100 ff., 127 ff.; Ortalli 1980, 378 ff.; Classen 1988a, 92.

<sup>78</sup> *Diviso regnorum* a 806, § 2; Classen 1983, 216 ff.

<sup>79</sup> Kretschmayr 1905, 56 ff.; Koščak 1980–1981, 302 ff.; Classen 1988a, 92 ff.

<sup>80</sup> *Annales regni Francorum* ad a. 811.

<sup>81</sup> Krahwinkler 1992, 137 ff.; Krahwinkler 2004, 27 ff.

imperial and royal *missus*. A Byzantine mission acclaimed Charlemagne emperor in Aachen in 812, and peace between the two empires was concluded *de facto*, though it took another three years before it was ratified in 815.<sup>82</sup>

The Peace of Aachen meant that Istria finally remained under Frankish authority and that this was recognised by Byzantium too. The new situation promised long-term stability. Probably soon after he began to rule, Louis the Pious issued a charter, addressed to patriarch Fortunatus, the bishops, abbots, tribunes and other *fideles* of the Istrian province, confirming their honourable offices and old law (*lex antiqua*).<sup>83</sup> In direct reference to this law the charter explicitly states that all their offices, including that of the (provincial) governor and even that of the patriarch, were elected offices.<sup>84</sup> The charter also directly referred to the Diet of Rižana (*iudicatum*) as a source for the law of obligations. Concerning the rights the Istrians enjoyed, the charter once more guaranteed them that everything would remain as it had been under Byzantine rule. But the form of this law had essentially changed when compared to the Byzantine period. At that time it largely had the form of orally transmitted common law, it was somehow codified at the Diet of Rižana through an inquisition process, and finally acquired the form and effect of a ruler's charter under Louis the Pious.<sup>85</sup>

The Peace of Aachen, though bringing stability to the northern Adriatic Sea, nevertheless also contained the seeds of a dispute in which Istria played a central role, and which took over a quarter of a millennium to be finally resolved. The final delimitation between Byzantium's Venetian territory and Frankish Istria created an imbalance between the political and ecclesiastical organisations in the area: the lagoon section of the patriarchate of Grado, including the seat of the metropolitan was in Byzantine and (later) Venetian territory, while the Istrian part was in the same Frankish territory where Aquileia was located. This made disputes about metropolitan authority over the Istrian bishoprics inevitable. A first attempt to solve the matter was undertaken at the synod of Mantua in 827, subjugating the Istrian bishoprics to Aquileia and leaving a powerful mark on Istrian history for the following

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<sup>82</sup> Classen 1988a, 93 ff.

<sup>83</sup> CDI 1, no. 56.

<sup>84</sup> See Mayer 1903, 283.

<sup>85</sup> Esders 1999, 109 ff.

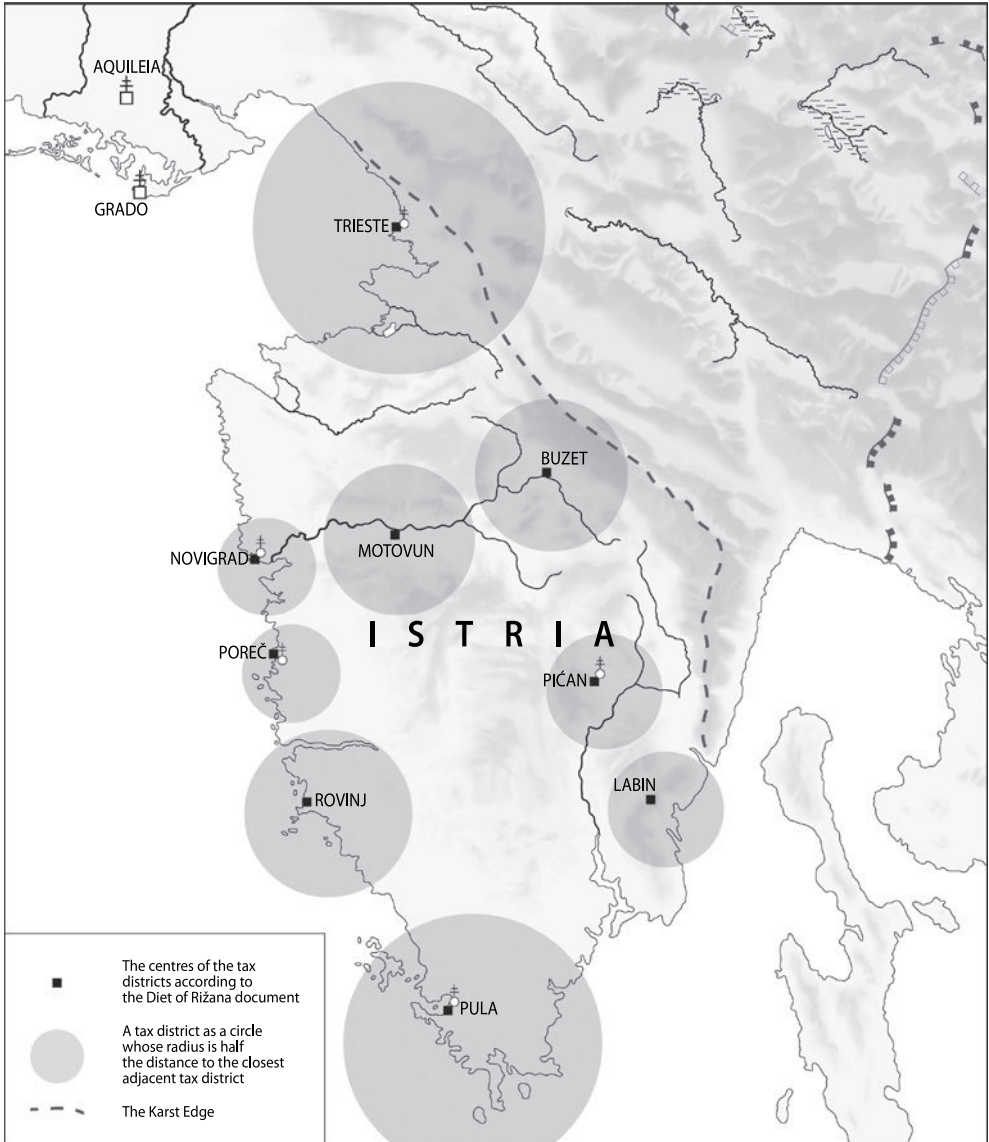


Fig. 6. Map of Istria in the Early Middle Ages (after Pleterski 2005, p. 138).

centuries.<sup>86</sup> But the dispute with Grado was far from resolved and it took until 1180 before its patriarch, who had his permanent seat in Venice from 1156 onwards,<sup>87</sup> finally renounced his metropolitan authority over Istria.<sup>88</sup> In the short term, patriarch Fortunatus was the greatest loser of the Peace of Aachen, and we may well wonder whether the Diet of Rižana would have taken place at all without his mediation, diplomacy, and support. The new political situation on the northern Adriatic Sea buried all his hopes for a united Venetian-Istrian ecclesiastical province, headed by the Church of Grado, and it was the frustration of these hopes that must have caused the deviation from his politics favourable to the Franks that culminated in his active support to the uprising of Prince Louis (Ljudevit Posavski) of Lower Pannonia. He was then forced to flee to Constantinople via Byzantine Zadar in 821. In 824 he was part of the Byzantine mission to Emperor Louis the Pious, and soon afterwards died in Franconia.<sup>89</sup>

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<sup>86</sup> *Concilium Mantuanum*, 584 ff.; Krahwinkler 1992, 172 ff.

<sup>87</sup> Fedalto 1999, 237 ff.

<sup>88</sup> Schmidinger 1954, 16 ff.

<sup>89</sup> *Annales regni Francorum ad a. 821, 824*; see Krahwinkler 1992, 215 ff.; Krahwinkler 2005, 72.



PART THREE

BISHOPRICS, THE NOBILITY, AND THE *LÄNDER*  
IN THE HIGH AND LATE MIDDLE AGES





## CHAPTER THIRTEEN

### THE ORIGIN AND THE BEGINNINGS OF EPISCOPAL PROPERTY IN THE TERRITORY OF PRESENT-DAY SLOVENIA

#### *Introductory Remarks*

Around 1200, the territory within the borders of the present Republic of Slovenia was ecclesiastically divided into six dioceses, which belonged to four different church provinces. By far the largest and simultaneously central part of present-day Slovenia between the Drava, Sotla, and Kolpa rivers belonged to the bishopric of Aquileia. The bishop of Aquileia, who carried the prestigious title of patriarch from the middle of the 6th century, also exercised metropolitan authority over large parts of Venetia, Friuli, and Istria. In the latter province the bishoprics of Trieste and Koper, whose small dioceses partly extended into the Karst in present-day Slovenia, were subordinated to him as suffragans. Northeastern Slovenia between the Drava and Mura rivers was under the ecclesiastical authority of the archbishop of Salzburg and thus a Bavarian church province, while Prekmurje, as part of the Kingdom of Hungary was divided between the bishoprics of Győr and Zagreb, and consequently between the archbishoprics of Esztergom and Kalocsa.<sup>1</sup>

The properties the bishoprics had in Slovene territory create a picture that is quite different from that of the ecclesiastical administrative division. Of the bishoprics mentioned above, only Aquileia and Salzburg were large (territorial) landowners in the High Middle Ages, while the properties of the two coastal bishoprics were small and largely limited to the territories of the cities of Trieste and Koper, and the bishoprics of Győr and Zagreb had no estates at all in Prekmurje.<sup>2</sup> Three bishoprics of the Salzburg ecclesiastical province, which however had no ecclesiastical jurisdiction here, established themselves as big landowners in the Slovene territory: Freising, Brixen, and Gurk.

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<sup>1</sup> See Mlinarič 1991, 61 ff.

<sup>2</sup> Zelko 1996, 94 ff.

A rough outline of the principal properties belonging to individual bishoprics shows that around 1200 the Aquileian church owned in what is now Slovenia the “Mozirje province” in the Upper Savinja Valley;<sup>3</sup> part of Lower Carniola from Čušperk to the Kolpa including Kočevje, Poljane and Kostel;<sup>4</sup> eastern Inner Carniola in a wide belt stretching from Lož to Logatec; and a large part of the Karst including Postojna, Senožeče, Prem, and Duino. The patriarchate also had property in the Vipava Valley and Gorizia,<sup>5</sup> and owned most of the Upper Soča (Isonzo) Valley with Tolmin as its centre.<sup>6</sup> Aquileia had an extensive property in Istria, which extended into Slovene territory, and which made the patriarchate, much like in Friuli, the most important landowner in the region.<sup>7</sup> The northern metropolitan bishopric of Salzburg owned two territorial complexes in Slovene territory at the time: the first was in the Drava plain and Slovenske gorice with Ptuj as its centre, and the second was on the Lower Sava, where the seigneuries of Sevnica, Brestanica, Brežice and Pišce formed a contiguous Salzburg estate bloc.<sup>8</sup> The property Salzburg had between Grosuplje and Dobropolje in Carniola and which constituted the Cesta seignury was of much smaller size and not that important.<sup>9</sup> The property of the bishopric of Freising in Slovenia consisted of two principal complexes as well. The first one was a large area of around 500 square kilometers in Upper Carniola, which was organised into a single seignury that included the river basins of the Poljane Sora and Selce Sora, as well as the Sora Plain and its centre in Škofja Loka.<sup>10</sup> The second complex of Freising possessions, much less contiguous than the Škofja Loka complex, was the seignury of Klevevž in Lower Carniola. Its core property was in the Radulja Valley, but Freising also owned property on the right bank of the Krka.<sup>11</sup> Similarly to Freising, the bishopric of Brixen had property in Upper Carniola. Its most important compact possessions were in the area of Bled between the two Sava rivers and partly extended

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<sup>3</sup> Ravnikar 2007, 113 ff.

<sup>4</sup> Hauptmann 1929, 403 ff.

<sup>5</sup> Kos M. 1954, 18 ff.

<sup>6</sup> Kos M. 1948, 11 ff.

<sup>7</sup> For Istria, see Štih 1996, 164 and note 1106; for Friuli, see Schmidinger 1954, 22 ff.

<sup>8</sup> Kos M. 1939, 7 ff.

<sup>9</sup> Kos M. 1940, 66 ff.

<sup>10</sup> Blaznik 1973, 11 ff.

<sup>11</sup> Blaznik 1958, 5 ff.

in the direction of Bohinj; Brixen further owned part of the southern slopes of the Karavanke between Hrušica above Jesenice and the Tržiška Bistrica.<sup>12</sup> The fifth and last bishopric that had extensive landed property in Slovene territory was Gurk in Carinthia: it owned most of the land between the Paka and Upper Dravinja including Vitanje, the area around Boč including Lemberg, the Sotla basin and Kozjansko, including Rogatec, Podčetrtek, Pilštajn, Kozje, Kunšperk, Podsreda and Planina;<sup>13</sup> in Carniola, the bishopric further owned the fiefs of Lebek above Litija, Boštanj on the Sava, and the central valley of the Mirna including Mokronog.<sup>14</sup>

In the High Middle Ages, these bishoprics were thus among the biggest landowners in Slovene territory as they had in their possession – roughly estimated – at least one third of all available property, though their share was probably higher and close to half. The bishoprics managed these seigneurial properties only partly themselves. The seigneuries were subordinated to either their direct or ministerial administration. Good examples of direct administration were e.g. the seignury of Škofja Loka and the *gastaldia* of Tolmin, which their seigneurs – the Freising bishop and the Aquileian patriarch, respectively – managed through their deputies-stewards, who held the mandate of officials.<sup>15</sup> The second practice is best illustrated by the Salzburg possessions in and around Ptuj, which were managed and operated by Salzburg ministerials, the lords of Pettau (Ptuj), as hereditary castellans.<sup>16</sup> Large parts of this property were not managed by the bishoprics themselves, but granted as fiefs to secular lords. Aquileia's seigneuries of Duino, Prem and Senožeče, for instance, were held in fief by the lords of Duino.<sup>17</sup> Similarly, the counts of Gorizia recognised Gorizia, after which they were named, as an Aquileian fief.<sup>18</sup> The counts of Heunburg had the "Mozirje province" in the Upper Savinja Valley in fief from Aquileia, as well as the area around Lož in Inner Carniola which later, as an Aquileian fief, first fell to the counts of Ortenburg and later to the counts of Cilli, who quite early started to acquire fiefs

<sup>12</sup> Gestrin 1984, 119 ff.; Štih 2004, 27 ff.; Bizjak 2005, 125 ff.; Bizjak 2006, 47 ff.

<sup>13</sup> Pirchegger 1962, 213 ff.

<sup>14</sup> Hauptmann 1929, 392.

<sup>15</sup> Blaznik 1963, 58 sl; Kos M. 1948, 18 ff.

<sup>16</sup> Pirchegger 1951, 3 ff. The practice changed after the lords of Pettau died out in 1438. Cf. Pirchegger 1962, 52.

<sup>17</sup> Štih 1996, 52.

<sup>18</sup> Štih 2002, 25, 51 ff.

of the Gurk bishopric as well.<sup>19</sup> There are many more similar examples, but let us conclude here by noting that indeed all the important noble families, who had property or were otherwise active in the Slovene territory, posed episcopal fiefs.

The practise of granting episcopal possessions in fief was the principal cause of their later alienation. Episcopal vassals from the high old nobility, especially if they were holders of princely lordship or were pretenders for it, turned many episcopal fiefs into their allodial property or took possession of them in some other way. Aquileia, for instance, lost almost all the properties it had in Carniola to the Habsburgs who were rapidly expanding toward the Adriatic Sea.<sup>20</sup> Due to the increasingly powerful position of the Habsburgs, who after the demise of the counts of Cilli and the related inheritance war after 1460 sought to assert their exclusive princely rights in Styria, Carinthia, and Carniola, the disintegration process of episcopal property affected also the other bishoprics. Salzburg-owned Ptuj, for instance, where the archbishops exercised princely jurisdiction and regalian rights, and which because of its wider importance represented the most important episcopal property in Slovene territory, remained in Habsburg hands after Frederick III's war with Matthias Corvinus, a war that was also connected with the "Salzburg episcopal dispute." Maximilian I even sold the entire property back to the archbishopric on the Salzach in 1511, and Ferdinand I finally purchased it in 1555.<sup>21</sup> Maximilian similarly acquired the Salzburg seigneuries of Brestanica and Brežice on the Sava, which he then pawned and even granted in fief, while Brežice itself, which the Salzburg archbishops systematically transformed into a market town and later town settlement in the 14th century, was subordinated to the Styrian lieutenancy in Celje as a Habsburg princely town.<sup>22</sup> All that remained of the once extensive Salzburg property in Slovene territory were the seigneuries of Sevnica and Pišece, which the archbishopric sold to the Moscon family as hereditary property in 1595, but in such a manner that they formally remained Salzburg fiefs until the secularisation of 1803.<sup>23</sup> By that time, the bishoprics had managed to hold on to little more than remnants of their former property.

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<sup>19</sup> Dopsch 1970, 328 ff.; Okoliš 1995, 360 ff.

<sup>20</sup> See Hauptmann 1929, 434 ff.; Kos M. 1954, 54 ff.

<sup>21</sup> Dopsch 1978, 29 ff.

<sup>22</sup> Pirchegger 1962, 251 ff.; Dopsch 1978, 30.

<sup>23</sup> Pirchegger 1962, 254 ff.; Dopsch 1978, 30.

Besides the case of Salzburg, those of Freising and Brixen property in Upper Carniola also show that these remnants were essentially possessions over which the bishoprics had exercised direct control in the Middle Ages, and had not granted them in fief or ceded to their ministerials. The beginnings of these remnants of episcopal property, secularised in 1803, however date back far in time – to the Carolingian and Ottonian periods.

### *Salzburg*

Of the mentioned bishoprics, Salzburg probably was the first to acquire property in Slovene territory. And this does not come as a surprise since Salzburg played a leading role in the Christianisation of Carantania and Pannonia north of the Drava, and had probably come into contact with the territory of present-day Slovenia already before the end of the 8th century, but certainly in the 9th century. It is quite possible that in the course of the military campaign into Avaria the Salzburg bishop Arno travelled through Ptuj in 796; in the same year, the Drava was indeed defined as the border river between the Salzburg and Aquileian missionary areas and Ptuj fell under his ecclesiastical authority.<sup>24</sup> The first Salzburg archbishop whose personal visit to Ptuj is documented beyond any doubt is Theotmar: he consecrated the church Kocel had built there in 874.<sup>25</sup>

In the same period, Salzburg is thought to have owned and possessed most of Ptuj with several rights. Or so it appears from a charter of King Arnulf from 885 or 890, in which he confirmed to Salzburg their entire archiepiscopal property, including two parts of the town of Ptuj, to which Arnulf added the third part and its environs.<sup>26</sup> However, it has been long known that the charter in question is a poor forgery, fabricated in Salzburg,<sup>27</sup> and modelled after a well-known charter of Louis

<sup>24</sup> See Štih 1996a, 538 ff.

<sup>25</sup> *Continuatio altera Annalium Iuvavensium maximorum ad a. 874.* See Mitterauer 1963, 162 and note 13. Earlier, most likely in the 850s, a church was consecrated in Ptuj which Kocel's father Pribina had built there. All the *Conversio Bagoariorum et Carantanorum*, c. 11 has about it is that it was consecrated at the time of archbishop Liupram, and not, as in several other cases, by the archbishop himself.

<sup>26</sup> D. Arn., no. 184.

<sup>27</sup> See Jaksch in the introductory note to MC 3, no. 62, Martin in the introductory note to SUB 2, no. 34; Kehr in the introductory note to D. Arn., no. 184; Pirchegger 1912, 311 ff.; Pirchegger 1949, 248 ff.; Koller 1969, 65 ff.; Fichtenau 1971, 122 ff.

the German from November 20th, 860<sup>28</sup> which granted the Salzburg archbishopric vast properties in the Danubian-Pannonian-Carantanian region. The protocol and eschatocol of this charter are almost literally copied in the forgery, while the context with the list of confirmed and newly granted property was greatly expanded, among others with an extensive, detailed passage about Ptuj. This is not the place to delve into the highly complex questions related to the *Pseudoarnulfinum* and the “Ptuj passage.” All we can say about it here is that most historians believe the passage to be genuine, but no undisputed argument has yet been offered to substantiate that claim, and to date there has been no persuasive answer to the basic question, on which hinges the credibility of the Ptuj passage in an otherwise forged charter – and that is the question of its model.<sup>29</sup> The issue of when and how Salzburg acquired Ptuj, and with it the core of its later vast properties on the Drava in Slovenia, must thus remain open for the time being, even though we may assume that the acquisition occurred in the Carolingian period before the Magyar incursions and that a royal deed of gift was the foundation of this property, which the archbishopric later greatly expanded eastward through the renovation of Ptuj Castle, systematic colonisation, and the military successes of its Ptuj ministerials over the Magyars in the 12th and the first half of the 13th centuries.<sup>30</sup>

The beginnings of the Salzburg property on the Sava in Lower Styria, which later extended over an area of 300 square kilometers, are similarly assumed to date back to the Carolingian era. Presumed evidence is the dedication of the church in Videm near Krško, the proto-parish of the parochial district, to St Rupert.<sup>31</sup> However, the church is mentioned with this dedication for the first time in 1155<sup>32</sup> and may well have been built in the 11th century after the Hungarian incursions, when we already have documented Salzburg property in the area. Furthermore, no Salzburg property on the Sava in the Carolingian era is mentioned in the great deed of gift of Louis the German to the Salzburg church from 860, or in the *Pseudoarnulfinum* from 885/890.<sup>33</sup>

<sup>28</sup> D. LD, no. 102.

<sup>29</sup> See Štih 1996a, 540; Kosi 2005, 289 ff.

<sup>30</sup> Kos M. 1936, 7 ff.; Kos M. 1969, 80 ff.; Štih 1996a, 535 ff.; Kosi 2005, 298 ff.

<sup>31</sup> Pirchegger 1962, 251.

<sup>32</sup> Gradivo 4, no. 358. See also Dopsch 1978, 25 ff. A list of all churches, dedicated to St Rupert in the wider area of the Eastern Alps is in Wagenhofer 1996, 213 ff.

<sup>33</sup> D. LD., no. 102; D. Arn., no. 184.

Moreover, another charter from the same King Arnulf from 895, in which he granted Waltuni, one of the first known ancestors of Hemma of Gurk, three royal *mansi* in Brestanica on the left bank of the Sava and the Krško estate on the other side of the river,<sup>34</sup> indicates that in the late Carolingian era the area on the Lower Sava must have belonged to Hemma's ancestors and not to Salzburg. We must however mention that the original charter has not been preserved, but only a copy in the cartulary of the Gurk bishopric from the last quarter of the 12th century, where it is in the rather suspect company of sovereign charters forged with interpolations in Gurk, which place it in a dubious light.<sup>35</sup> The suspicion that the passage about Waltuni's property on the Sava was such a later interpolation in the original text of the charter was recently substantiated by a re-examination of the charter as a possible source for determining the southern border of Carantania.<sup>36</sup>

This re-examination greatly compromised the charter's value and relevance, and the local property of Hemma's family is documented beyond dispute only by two charters from Henry II and Conrad II, dating from 1016 and 1025, respectively,<sup>37</sup> which granted royal property on both sides of the Sava between the Savinja and Krka to Hemma's husband William II.<sup>38</sup> And these two charters further prove that the original private owner on the Lower Sava was Hemma's family, not the church of Salzburg, regardless of whether the royal property was granted already to Waltuni or later to William II. Local Salzburg ownership must have been secondary and its beginning should be dated to 1043. It was then that Hemma, who was widowed and without living children founded a convent in Gurk, agreed an exchange of properties (*complacitatio*) with the Archbishop of Salzburg, Balduin, by which the Archbishop ceded to Hemma's proprietary churches baptismal and

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<sup>34</sup> D. Arn., no. 138. On Waltuni as Hemma's ancestor, see Hauptmann 1935, 237 ff.; Hauptmann 1936, 221 ff.; Dopsch 1971, 110 ff.; Štih 2007, 14.

<sup>35</sup> On the Gurk forgeries from the last third of the 12th century, see Jaksch in the introduction to *Gurker Geschichtsquellen 864-1232*, MC 1, 7 ff.; Fichtenau 1971, 187 ff.; Štih 2007, 8 ff.

<sup>36</sup> *Die bayerischen Luitpoldinger 893-989*, 6 and note 41; Wolfram 1995, 100 ff.; Kahl 2002, 324 ff.

<sup>37</sup> D. H. II., no. 346; D. Ko. II., no. 32.

<sup>38</sup> In this case, too, the first charter from 1016 was later partly forged in Gurk, but its contents referring to the donated property are undisputed, as the property is confirmed by the original deed of confirmation of Conrad II from 1028 (D. Ko. II., no. 134). On the reasons for forgeries, see Dopsch 1971, 96 ff.; Štih 2007, 8, 15 ff. See also Hauptmann 1935, map between pages 232–233.



funeral rights as well as tithes, and in exchange received the “Brestanica estate on the Sava.”<sup>39</sup> Much like Ptuj in the Drava basin, Brestanica in the Sava basin was a fortification against the Hungarians on an unstable and dangerous border.<sup>40</sup> In addition to Leibnitz and Ptuj it was one of the three most important Salzburg border fortifications, which Archbishop Conrad I had erected or rebuilt in the first half of the 12th century.<sup>41</sup> Conrad must also be credited for the peace he made with the Hungarian King Bela II in 1131. This opened up new development prospects in the Lower Sava region, and the Brestanica seigneurie became the starting-point for the systematic colonisation that expanded Salzburg’s properties down the Sava to the Sotla,<sup>42</sup> where Brežice, the new centre of the Salzburg property, emerged on colonised land in the 13th century.<sup>43</sup>

### *Gurk*

The property of the bishopric of Gurk in Carinthia derived from the same source as the Salzburg property in the Slovene Sava basin in Slovenia – from the former property of Hemma and her husband William II. The vast property<sup>44</sup> acquired by the family of the Savinja margrave was based on royal gifts that went back as far as the late Carolingian era. Together they meant that by the first quarter of the 11th century the family had acquired property extending from the Upper Austrian Danube and Enns in the north, across the Mura, Gurk and Drava to the Savinja and Sava basins, including the Krka in Lower Carniola in the south.<sup>45</sup> Most of the property in Slovene territory came from donations by Otto II,<sup>46</sup> Henry II,<sup>47</sup> Conrad II,<sup>48</sup> and perhaps from the already mentioned suspect charter of Arnulf to the benefit of

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<sup>39</sup> MC 1, no. 16. In its preserved form the charter is a Gurk forgery, but it is based on an original *notitia traditionis* about the exchange between Hemma and Salzburg. See Jaksch, in the introduction to MC 1 (as in note 35) 21, as well as the introductory note to no. 16.

<sup>40</sup> For details, see Kosi 2002, 43 ff.

<sup>41</sup> Vita Chunradi archiepiscopi Salisburgensis, c. 20; Dopsch 1976, 38.

<sup>42</sup> See Kos M. 1936, 22 ff.

<sup>43</sup> Kos M. 1957, 7 ff.; Pirchegey 1962, 253; Otorepec 1988, 129.

<sup>44</sup> The property is reconstructed in Hauptmann 1936, map between pages 232–233.

<sup>45</sup> See Hauptmann 1936, map on p. 216.

<sup>46</sup> D. O. II., no. 235.

<sup>47</sup> DD. H. II., nos. 346, 347.

<sup>48</sup> DD. Ko. II., nos. 32, 134.

Waltuni,<sup>49</sup> together granting the family large territories within natural boundaries. The family tragedy caused by the murder of Hemma's husband William II<sup>50</sup> in 1036 set off the disintegration of this enormous property. In this situation, where Hemma was left as the sole member of the family – her two sons had died before their father was murdered – she granted large parts of the property to her relatives in 1043, in particular to Asquinus,<sup>51</sup> and probably also to other persons she was connected to; she ceded another part – Brestanica on the Sava – to the Salzburg archbishopric in an exchange of properties, and the largest part went to her foundation, the convent in Gurk, Carinthia. In addition to the extensive possessions in Carinthia, she donated to the convent everything she owned in the Savinja Valley (*omnia que in Sovnital proprie habuerat*), with the exception of just four villages around Ponikve, south of Celje, and an unnamed property which she explicitly gave to other, equally unnamed recipients.<sup>52</sup> Hauptmann, who reconstructed the property of Hemma's family, considered her truly princely gift to the convent in Gurk to be an irrational decision: "If she had ceded her endless possessions on the Savinja, Sotla, Sava, and the Krka in Lower Carniola to the oldest member of her family, Asquinus, Hemma would have made him the undisputed lord of Carniola as well as the Savinja March, and no other margrave could possibly have existed alongside him. However, on the eve of the greatest peak of the spirit of Cluny and in the run-up to the Investiture Controversy and the crusade movement, the period's mind-set was not yet ready for the ruthless politics of dynastic self-interest. Hemma thus preferred to make a princely gift to her foundation over uniting the entire heritage of her family and laying lasting foundations of margravian lordship over a Great Carniola that would have started at Macelj and Konjiška gora instead of much further down on the Sava."<sup>53</sup> Whether Hemma's decision was rational or not is hard to judge, but it certainly was in the spirit of her time; if she had decided in favour of Asquinus instead of the

<sup>49</sup> D. Arn., no. 138.

<sup>50</sup> Hauptmann 1936, 245, erroneously thought that Hemma was married to William I and that the murdered William II was her son; See Dopsch 1971, 102 ff., especially 104 ff.

<sup>51</sup> On his place within Hemma's kin, see Hauptmann 1936, genealogical table at the end of the article; Dopsch 1971, 111 ff.

<sup>52</sup> MC 1, no. 17. In its preserved form this charter is a further forgery from around 1170, but it was based on a genuine *notitia traditionis* (ebd).

<sup>53</sup> Hauptmann 1936, 245 ff.

Gurk convent, then not only the political history of the Slovene territory would probably have taken a different course, but the episcopal property in this territory would certainly have differed.

Barely thirty years after its foundation, the Gurk convent was indeed abolished by the Salzburg archbishop Gebhard under the pretext that the convent's nuns were not living in accordance with the monastic order. He then obtained permission from Pope Alexander II<sup>54</sup> and King Henry IV<sup>55</sup> to found a bishopric in its place in 1072.<sup>56</sup> Gebhard endowed the new bishopric – he initially granted it neither a diocesan territory of its own, nor a chapter or any tithes, retaining for himself the exclusive right, confirmed by the pope and the king, to elect, appoint and consecrate its bishops, with the property of the abolished convent, adding – though it is not clear whether he really did so – only the property Salzburg had owned in Gurk since 864.<sup>57</sup> In any case, Gebhard's contribution to his own foundation was very modest compared to that of the abolished convent. The vast property the Gurk bishopric owned in Slovene territory in the High and Late Middle Ages<sup>58</sup> was thus former convent property deriving from private property, which itself originated from royal gifts.

### *Freising*

The bishopric of Freising acquired its Carniolan and Istrian properties in a completely different way. The beginnings of Freising property in Carniola are connected with two gifts to Bishop Abraham from the young King Otto II, dating from June and November 973.<sup>59</sup> The first granted the Bavarian bishopric the entire Selce Valley including (Škofja) Loka, and the western part of the Sora Plain to the Žabnica stream,<sup>60</sup> while the second, which partly overlapped with the first gift, added to this property the lower Poljane Valley.<sup>61</sup> Otto III confirmed this property in 989 and defined its borders with greater accuracy in the direction of

<sup>54</sup> MC 1, no. 27.

<sup>55</sup> D. H. IV., no. 253. DD. H. IV., nos. 251, 252 are Gurk forgeries!

<sup>56</sup> MC 1, no. 32. See Dopsch 1983, 236 ff.

<sup>57</sup> D. LD., no. 112. The charter has been preserved only as a copy in a Salzburg *Kammerbuch* from the late 13th century and Koller 1971, 55 ff. considers it a forgery.

<sup>58</sup> Pirchegger 1956, 5 ff.; Pirchegger 1962, 213 ff.

<sup>59</sup> On these two charters, see Štih 1997a, 301 ff.

<sup>60</sup> D. O. II., no. 47.

<sup>61</sup> D. O. II., no. 66.

Medvode, where he granted royal land to a certain Pribislav between 983 and 989.<sup>62</sup> In 1002, soon after he started to rule, Henry II added to the property of Freising in Upper Carniola the territory of Stražišče near Kranj, which extended across the eastern Sora Plain between Lipnica (Žabnica), the Sora and Sava rivers.<sup>63</sup> But this gift was substantially limited by the clause that after the death of Bishop Gottschalk – he died soon afterwards, in 1005 – the territory would fall to the Freising canons, that is to their chapter.<sup>64</sup> The bishopric, a real property entity separate from the chapter, reacquired the property between 1024 and 1039 through an exchange, ceding to the chapter another property in Bavaria.<sup>65</sup> It was only then that the territory of Stražišče and the eastern Sora Plain could be integrated into the episcopal seignury of Škofja Loka.

The exclave of the Škofja Loka seignury in Dovje above Jesenice in the Upper Sava Valley was probably also added to the property of the Freising bishops through an exchange with the chapter. A Freising *notitia traditionis* (donation record) that can be dated only approximately to the 1020s or 1030s<sup>66</sup> indicates that the then count Adalbero of Ebersberg<sup>67</sup> ceded to the church of SS Mary and Corbinian his property in *locô Lenginvuelt*, which may be, but not necessarily is,<sup>68</sup> Dovje.<sup>69</sup>

<sup>62</sup> D. O. III., no. 58.

<sup>63</sup> D. H. II., no. 32.

<sup>64</sup> A similar clause is in D. H. II., no. 67, with which Henry II granted the bishopric of Brixen property in Bled in 1004; see Štih 2004, 21.

<sup>65</sup> TF 2, no. 1420.

<sup>66</sup> TF 2, no. 1404 (dated 1022–1031); Gradivo 3, no. 85 (dated 1029–1045).

<sup>67</sup> That this refers to the last of the Ebersbergs is strongly indicated by the fact that the first person on the list of witnesses is *Eparhart comes*, whom we must identify as the margrave of Carniola, Eberhard of Ebersberg, the brother of Adalbero; see Týroller 1962, 64 ff. and genealogical table 2; Störmer 1972, 165 ff. More recently Landi 2002, 37 ff., put forward a thesis that – if correct – is of great significance to the Slovene history of the 11th century: the family of the Ebersbergs is assumed not to have died out in the male line in 1045 with the death of Adalbero II. Further research will show how credible the thesis is, but what can be said about it now is that one of its critical points is the interpretation of the report in the Ebersberg chronicle on the division of the estates of Adalbero II of Ebersberg, agreed in 1045 at Persenbeug Castle in present-day Lower Austria (Chronicon Eberspergensis, 14). Considering that Adalbero's estates were claimed by his wife, two sisters and the Ebersberg monastery, the family arguably must have remained without direct male descendants.

<sup>68</sup> TF 2, no. 1404 identifies *Lenginvuelt* as Lengefeld in the Inntal, while north of Salzburg we find Lengfelden, first mentioned in 930 as *Lenginueld*; SUB 1, no. 85 (p. 146). Furthermore, the Freising bishopric acquired in 856 *villam que dicitur Lenginueld quam veteres Alpunessteti nominaverunt* in the vicinity of Teugen in Bavaria; TF 1, no. 758. And then there is another Lengenfeld in the district of Landsberg, Bavaria. See also Mlinar 2007, 158 ff.

<sup>69</sup> Kos 1975 (Vol. 1), 118.

The recipient of this gift was not the bishop of Freising, as Pavle Blaznik thought,<sup>70</sup> but the *clerus venerabilium fratrum inibi servientium*, and this can only have been the canons. The property – it cannot have been very big since the first urbarium from 1160 lists only four *mansi*<sup>71</sup> – must then have been transferred to the bishop of Freising and incorporated into the Škofja Loka seigneurie. On the other hand, we cannot exclude the possibility that Dovje was added to Freising's episcopal property through a royal gift, but this seems less likely. Franz Schumi's Carniolan diplomatarium contains a very brief *regestum* stating that on May 9th, 1033, Emperor Conrad II gifted to the Freising church the "office of Dovje."<sup>72</sup> The charter has not been preserved, but is assumed to have been in the Škofja Loka archive and it is mentioned in the list of Škofja Loka archivalia from 1798, published by Vinko Ferfer Klun in 1852.<sup>73</sup> It is however highly doubtful whether this supposedly lost charter ever existed. This assumed imperial grant to the Freising church is contradicted by the very circumstance that in the same place a private Ebersberg property is presumably originally documented, which was given to the same recipient. Furthermore, if Conrad II really issued such a charter, we would expect it to be kept – just like other royal deeds, including the charters referring to the Freising property in Carniola – by the recipient, that is in the episcopal archive of Freising, and not in the archive of the seigneurie, as this would be in complete contrast with known practices. And we would furthermore expect the charter, if it existed at all, to be registered in one of Freising's cartularies, into which individual sovereign charters concerning Freising were copied, often repeatedly, in the 12th and early 14th centuries,<sup>74</sup> but no such entry exists. Finally, considering the deeds of gift by which sovereigns granted entire territories to bishoprics, it is hard to imagine one that would refer to such a small property as the one Freising had in Dovje.

The origin of Freising's property in Lower Carniola is even less transparent. The first tangible evidence is in a tithe agreement made by the

<sup>70</sup> Blaznik 1955, 7; Blaznik 1973, 14.

<sup>71</sup> Noticia bonorum de Lonka, 128.

<sup>72</sup> UBK 1, no. 164.

<sup>73</sup> Klun 1852, 59: "Donations-Instrument, ddo. 9. Mai 1033, vom Kaiser Conrad II., betreffend das Amt Lengenfeld."

<sup>74</sup> On Freising cartularies containing copies of the four above-mentioned royal deeds of gift concerning property granted to Freising in Carniola, as well as of the two royal charters that refer to Istria (see notes 94, 95), see Zahn 1861, 218 ff.

Aquileian patriarch and the bishop of Freising in 1074; the latter among others ceded to the patriarch ten Slavic *mansi* on Vinji vrh above Bela cerkev.<sup>75</sup> Further pieces of information on this Freising property in Lower Carniola date from much later, after the late 12th century.<sup>76</sup> They outline a relatively contiguous Freising property in the Radulja Valley, including its entire course to the confluence with the Krka, where the first mentioned Freising market town, Otok, stood in 1251.<sup>77</sup> The original centre of the property probably was Štatenberk Castle, the seat of the local territorial court.<sup>78</sup> Its function was later assumed by Klevevž Castle. It was erected with the explicit permission of the prince of the *Land* Carniola, Ulric of Spanheim, after 1265,<sup>79</sup> who granted the bishopric territorial jurisdiction over the local Freising possessions in the same year, but excluded from it the most serious crimes (blood justice).<sup>80</sup> It was in particular this local territorial court that gave the Freising property in the Radulja Valley the nature of a territorial seignury, which was however, like the Škofja Loka seignury in Upper Carniola, otherwise completely integrated in the march or *Land* of Carniola.<sup>81</sup> The property the bishopric had on the right, southern bank of the Krka was of a completely different nature. It extended along the foot of the Gorjanci Hills to Prežek Castle, one of the principal bases of the local Freising property.<sup>82</sup> In addition to its scattered nature, it was marked by castles, mansions, and farmsteads which the bishopric granted as fiefs, while there was little urbarial land.<sup>83</sup>

At least as far as the property on the Radulja north of the Krka is concerned, its origin can be assumed to derive from the royal gifts which Henry II and Conrad II generously bestowed on Hemma's husband William II, who first received the entire royal land on the Mirna

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<sup>75</sup> CDAF 1, no. 89. The document is very interesting from the diplomatic viewpoint, as it is an originally preserved, sealed *notitia traditionis* in the form of a chirograph. A photo of the document is in Žontar 1994, 54.

<sup>76</sup> See Blaznik 1958, 5 ff.; Vilfan 1990, 357 ff.

<sup>77</sup> Gradivo 6/1, no. 137.

<sup>78</sup> Vilfan 1990, 358.

<sup>79</sup> CDAF 1, no. 245.

<sup>80</sup> CDAF 1, no. 244. In 1257 the Aquileian patriarch, formally the margrave of Carniola, ceded territorial jurisdiction over the Freising properties in Upper and Lower Carniola to the bishop of Freising until revoked; CDAF 1, no. 188.

<sup>81</sup> Vilfan 1990, 353 ff.

<sup>82</sup> Blaznik 1958, 50 ff.

<sup>83</sup> Blaznik 1958, map between pages 48 and 49, map between pages 64 and 65.

River in 1016,<sup>84</sup> followed by the royal property between the Krka and Sava rivers in 1025.<sup>85</sup> This assumption is among others substantiated by the fact that the adjacent landowners of the local Freising property were the lords of Puchs of the high nobility (the later counts of Weichselburg – Višnja Gora), who were related to Hemma, and the Gurk bishopric that owned the former Hemma's estates of Škrljevo near Šentrupert and Mokronog.<sup>86</sup> The Freising property north of the Krka arguably belonged to Hemma of Gurk, as did Salzburg's properties on the Sava and Krka. What is less clear is whether Hemma herself ceded this property to Freising – in the way she ceded Brestanica to Salzburg – or whether Freising acquired it later from her relatives. Both solutions are possible. The deed of donation to the nuns of Gurk from 1043 indeed states that Hemma gifted to the convent her entire property with the exception of the possessions listed by name in the charter, and unnamed possessions of which she states that she has designated them explicitly for “others.”<sup>87</sup> Freising may well have been among these “others” she explicitly refers to without naming them. On the other hand, Freising could have acquired the property from the lords of Puchs (i. e. counts of Weichselburg), who had extensive private estates on the Krka, managed by numerous ministerials.<sup>88</sup> Moreover, the lords of Puchs were closely connected with the bishopric of Freising. The bishopric had indeed granted them advocacy over Katsch in Upper Carinthia in the mid 12th century,<sup>89</sup> and – more important to us – they had Otok on the Krka in fief from Freising.<sup>90</sup> In Sergij Vilfan's opinion, the Freising property south of the Krka, which was much more scattered and less urbarial, had different roots. It partly derived from conquests in the border area with Croatia in the late 12th century, which

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<sup>84</sup> D. H. II., no. 346. The at first glance illogical description of the borders of the gifted property becomes clear only if we take into consideration that the Sotla mentioned in the charter is not the border river between Slovenia and Croatia, but a streamlet of the same name that is a tributary of the Mirna in Lower Carniola; see Hauptmann 1929, 365.

<sup>85</sup> D. Ko. II, no. 32.

<sup>86</sup> Blaznik 1958, 6 ff.; Hauptmann 1929, 392; MC 1, nos. 17/II, 58.

<sup>87</sup> MC 1, no. 17/I.

<sup>88</sup> Komac 2006, 124 ff.

<sup>89</sup> StUB 1, no. 413.

<sup>90</sup> Gradivo 6/1, no. 228; Hauptmann 1929, 396. The Freising centre was later owned as a fief (or by force) by the inheritors of the counts of Weichselburg: the counts of Andechs, Babenberg, Spanheim, Ottokar II Přemysl, and the Habsburgs. See Gradivo 6/1, no. 137; Blaznik 1958, 6 ff.

were more colonising than military actions in nature<sup>91</sup> and in which beside the Weichselburgs and Spanheims the Freising bishopric also participated;<sup>92</sup> and partly from the acquisition of a group of originally Weichselburg (Puchs) ministerials (the lords of Reutenburg/Čretež, Gutenwerth/Otok, Nassenfeld/Mokro Polje, Preisegg/Prežek, and Breitenau/Zalog), which Ottokar II Přemysl as the inheritor of the Weichselburg estate granted to the bishopric in 1254.<sup>93</sup>

At about the same time that Freising property is first mentioned in Lower Carniola, the bishopric received a gift from King Henry IV in 1067, granting it seven named villages headed by Kubed in the hinterland of Koper in Istria “for the services of Bishop Ellenhard.”<sup>94</sup> This was the last royal gift to the church of Freising connected to Slovene territory. Ellenhard (1052/53-1078) assumed the position of bishop of Freising as a member of the sovereign’s court and was unswervingly loyal to Henry IV: in 1062 he succeeded in ensuring that the king granted the newly established monastery of St Andrew in Freising property of the fisc (*nostris iuris proprietates ad fiscum nostrum pertinentes*) in Piran and Novigrad in Istria.<sup>95</sup> The monastery was closely connected with the bishopric not only because of its location on the same hill where the cathedral stood, but in particular through Ellenhard, who had founded the monastery, and because of whose “dedicated and loyal service” Henry IV had gifted him crown property in the two mentioned places. Even ships are listed among their appurtenances and the charter explicitly states that the revenues deriving from the gift should be used for the food and clothes of the monastic brothers. Apparently, local judicial authority was part of the granted royal fisc in Piran, since the bishop of Freising granted it to someone else in fief before the turn of the 13th century.<sup>96</sup> There are however no further data on this Freising property in Istria that would testify to the presence of the bishops of Freising as seigneurs on the Istrian peninsula. It therefore appears that the two charters remained – as far as seigneuries are concerned – dead letters on paper, and that in spite of the dynastic interests Ellenhard may have had in Istria, and to which

<sup>91</sup> See Kosi 2002, 56 ff.

<sup>92</sup> Vilfan 1990, 359 ff.

<sup>93</sup> Gradivo 6/1, no. 228.

<sup>94</sup> D. H. IV., no. 187.

<sup>95</sup> D. H. IV., no. 93. Vilfan 1993a, 218, surprisingly does not mention this charter.

<sup>96</sup> Gradivo 5, no. 250. For details on this interesting document, see Mihelič 2005, 67 ff.



Ernst Klebel drew attention,<sup>97</sup> the two gifts may never have been put into effect. A similar ineffective fate was shared in about the same period by the property in and around Gorizia donated to the bishopric of Brixen by Henry of Eppenstein.<sup>98</sup>

### *Brixen*

The recipient of this Eppenstein hereditary property was Altwin (1049–1097), Bishop of Brixen, a contemporary of Ellenhard and an equally loyal supporter of Henry IV. Besides Albuin, Altwin contributed most to the formation of Brixen's territorial property complex which had its centre in Bled, Upper Carniola.<sup>99</sup> He was given forests on Jelovica on the right bank of the Sava Bohinjka by Henry IV in 1063,<sup>100</sup> and hunting rights below the Karavanke on the left side of the Sava Dolinka in 1073.<sup>101</sup> And what he did not receive from the crown, he sought to acquire from private persons. Through exchanges, gifts, as well as by force, he systematically expanded and completed the local property of Brixen, acquired unfree *mancipia* and extended his rights. The great successes of the Brixen church in Carniola, achieved under Bishop Altwin, are documented in the second half of the 11th century by two royal gifts and no less than forty-six *notitiae traditionum*.<sup>102</sup>

The beginnings of this Brixen property in Upper Carniola are traced back to 1004 when Henry II, on his first campaign into Italy, laid the foundations of the Brixen property in the area of Bled with his gift to Albuin.<sup>103</sup> Compared to the adjacent Škofja Loka seigneurie, it is indicative that Freising could by then pride itself on four royal charters concerning its properties in Upper Carniola. In 1011, Henry completed his gift from 1004 and granted Brixen Bled Castle and all the remaining

<sup>97</sup> Klebel 1958, 58 ff.

<sup>98</sup> TB, no. 240. On the identity of the here mentioned Henry, see Dopsch, Meyer 2002, 351 ff. We should add that the identification is based on the unprovable premise that the Henry in the mentioned *notitia traditionis* is identical with another Henry (of Eppenstein), whose wife's name was Wezala; see Štih 2002, 30 ff., 44 ff.

<sup>99</sup> For the bishopric of Brixen in the mentioned period as well as the role of the bishops Albuin and Altwin in its development, see Albertoni 2003, 77 ff.

<sup>100</sup> D. H. IV., no. 111. Location of the gifted property: Pleterski 1986, 117.

<sup>101</sup> D. H. IV., no. 259.

<sup>102</sup> TB, register s. v. Krain on p. 355. See also Gestrin 1984, 119 ff.; Albertoni 2003, 131 ff., 153; Albertoni 2005, 55 ff.; Štih 2004, 28 ff.

<sup>103</sup> D. H. II., no. 67. On this charter, see Štih 2004.

arable land the crown owned between the two Sava rivers.<sup>104</sup> In 1040, Henry II issued two deeds of gift on the same day, granting Brixen the entire crown property including forests between Tržiška Bistrica to the east and the Sava Dolinka to the west,<sup>105</sup> as well as the forests between the two Sava rivers (Dolinka and Bohinjka) with all appurtenances and rights subsumed by the royal *bannum*.<sup>106</sup> The basis and framework for Brixen's territorial property in Upper Carniola thus consisted of no less than six royal charters from the 11th century, and its final appearance was later completed by numerous acquisitions of private property.

### *Aquileia*

The fifth and last bishopric which had extensive landed property in the territory of present-day Slovenia in the High Middle Ages was the Aquileian patriarchate. The Aquileian church was among the major, important recipients of royal gifts and charters tracing back to Charlemagne.<sup>107</sup> The generous cession of royal lands and rights to Aquileia, by far the most important Friulian institution at the time of the disintegration of the Carolingian order and its structures, accelerated by the Magyar incursions, laid the territorial and immunity foundations for the rise of the Aquileian church to the biggest landowner in Friuli and that of its patriarch to prince of the *Land*.<sup>108</sup> With the likely exception of Salzburg, which may have acquired possession of Ptuj already in the Carolingian era, Aquileia was the first bishopric taking possession of property in the area of present-day Slovenia. This probably first occurred as early as 921, when emperor Berengar I ceded to the Aquileian church *castellum Puziolum* in Friuli, including the appurtenant territory and jurisdiction in a radius of one mile; in all probability the *castellum* was located in the area of the later Aquileian fief and castle of Duino.<sup>109</sup> Ten years later, a similar grant of the *castellum* in Muggia was made by King Hugh of Provence and his son Lothar.<sup>110</sup>

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<sup>104</sup> D. H. II., no. 228. The charter whose facsimile is published in Sybel, Sickel 1885, Taf. 2, is also very interesting from a diplomatic viewpoint as it is a *Blanquet*.

<sup>105</sup> D. H. III., no. 22.

<sup>106</sup> D. H. III., no. 24.

<sup>107</sup> See Štih 1999c, 15.

<sup>108</sup> See Schmidinger 1954, 19 ff.

<sup>109</sup> D. Ber. I., no. 136. For the location, see Štih 1999c, 121 and note 461; concerning Duino as an Aquileian fief, see Štih 1996, 57 and note 263.

<sup>110</sup> D. Hugo/Lotar, no. 28.

The gift to the patriarch included the appurtenant property and immunity, and constituted his first tangible move into property in Istria, where he further acquired Izola on the Slovene coast before April 977. It was indeed then that Otto II confirmed Aquileia's purchase from the later Doge of Venice, Vitalis Candianus,<sup>111</sup> to whom Otto I had gifted it in 972.<sup>112</sup> With the acquisition of Izola in addition to the earlier one of Muggia, Aquileia thus surrounded Koper and even interfered with it, given that some of Izola's appurtenances lay in and around the town of Koper, and that Otto II had granted Aquileia all the taxes the inhabitants of Izola paid to the fisc for their real estate in Koper. The Aquileian patriarchate however certainly made its biggest advance in its property acquisition policy in Istria in the early 12th century, when Ulric II of Weimar-Orlamünde<sup>113</sup> and his wife gifted it nearly the entire allodial property the family had accumulated in Istria, and whose core consisted of 20 royal *mansi*, which King Henry IV had granted to Ulric's father, the margrave of Carniola and Istria, in 1064.<sup>114</sup> This truly princely private donation from 1102 bestowed on Aquileia eleven castles and *castella* in the territory between the Mirna and Dragonja rivers, the area around Buzet and, with the exception of Roč and its hinterland, all lands from Buzet to the upper course of the Raša, east of Učka, thus making Aquileia the most important landowner in Istria.<sup>115</sup>

Further north, at the middle Soča (Isonzo), two deeds of gift from Otto I expanded the property of the Aquileian church: first, in 964, at the junction of the Friulian plain and Goriška brda (Collio) at Cormons Castle,<sup>116</sup> which had been Aquileian property since the 7th century. In 967, the emperor then granted Aquileia the castle of Farra d'Isonzo, which controlled the passage across the Soča (Isonzo).<sup>117</sup> Aquileia acquired its first property on the other side of the river in this section for the first time in 1001, when Otto III gifted it half the lower Vipava Valley.<sup>118</sup> The opinion long held that the Aquileian patriarchate also

<sup>111</sup> D. O. II., no. 154.

<sup>112</sup> D. O. I., no. 407.

<sup>113</sup> Landi 2002, 56 ff., thinks that it was Ulric II of Ebersberg; for his thesis, see note 67.

<sup>114</sup> D. H. IV., no. 135.

<sup>115</sup> UBK I, no. 67. See Štih 1996, 163 and note 1106.

<sup>116</sup> D. O. I., no. 271; Degrassi 1996, 26.

<sup>117</sup> D. O. I., no. 341. On the importance of Farra d'Isonzo, see Štih 1999c, 128 ff.

<sup>118</sup> D. O. III., no. 402.

acquired, by the same deed, the Upper Soča (Isonzo) Valley, where it later organised a special *gastaldia*, is certainly erroneous.<sup>119</sup> All we can say for certain is that the patriarchate must have acquired the property in the Upper Soča (Isonzo) Valley before 1063/67, when patriarch Rabinger made a tithe agreement with the bishop of Brixen, Altwin, in Tolmin,<sup>120</sup> but it is not clear when Aquileia acquired Tolmin nor from whom. What is certain is that around 1000 Aquileia's property did not extend east of the Soča (Isonzo) Valley.

Access to property in Carniola indeed became available to the patriarchate only in 1040, when Henry III gifted it fifty royal *mansi* in Cerknica and its surrounding villages in Inner Carniola.<sup>121</sup> The grant of such extensive arable lands – the biggest royal grant in the form of royal *mansi* in Slovene territory<sup>122</sup> – was not limited to the immediate environment of Cerknica: the Aquileian church acquired a much larger territory whose core must have been the plains of Lož, Cerknica and Planina, which together with the extensive forests around Snežnik and on the Bloke plateau constituted the principal and most significant Aquileian property in Carniola.<sup>123</sup> The large seignury of Lož stands out among these possessions and the patriarch gave it in fief but also managed part of it directly.<sup>124</sup> This property complex deriving from a royal gift was joined in the west by Postojna which the patriarchate acquired, much like in the Vipava Valley, from the counts of Andechs, that is from lay owners.<sup>125</sup> The origin of the considerable Aquileian property further west on the Karst is not clear yet. Milko Kos assumed that it was a crown gift as well,<sup>126</sup> but there is no confirmation for this assumption and, moreover, its scattered nature rather suggests that Aquileia acquired it in several small steps instead of in one piece. One of these steps occurred, for instance, in 1150, when Engelbert, the count of Gorizia compensated for damage he had caused by ceding to the patriarch thirty unnamed *mansi*, at that time a quite considerable

<sup>119</sup> This opinion was rejected by Kos M. 1948, 11 ff.; see also Štih 1999c, 134 ff.

<sup>120</sup> TB, no. 183.

<sup>121</sup> D. H. III., no. 19.

<sup>122</sup> On the meaning of the term *mansus regalis*, which is often postulated as a unit of measurement for arable land equal to 50 hectares, and is probably a misleading or inaccurate interpretation, see Kupfer 2000, 39 ff.

<sup>123</sup> Gradivo 5, XLVI; Vilfan 1980a, 116.

<sup>124</sup> See Okoliš 1995, 353 ff.

<sup>125</sup> Kos M. 1954, 53.

<sup>126</sup> Kos M. 1954, 45.

property, in the Karst.<sup>127</sup> The contiguous property Aquileia had in the border area of Carniola to the east, in the Upper Savinja Valley,<sup>128</sup> also derived from private ownership. It was originally part of an allod of the high nobility, whose owners partly gifted it to the monastery of Gornji Grad in 1140 – they were among its founders – and partly to another founder, the Aquileian patriarchate.<sup>129</sup>

What is certainly interesting is that the charter of Henry III from 1040 is the only royal deed of gift that granted Aquileia property in Carniola, and it thus essentially differs from Brixen or Freising in this respect. The Aquileian church was, however, in a way compensated for this deficit when Henry IV granted it the March of Carniola in 1077, and confirmed it in 1093,<sup>130</sup> meaning that the Aquileian patriarch became the margrave of Carniola including all appurtenant jurisdiction, rights and revenues, and the central town of the march, Kranj, became his fief.<sup>131</sup> Since the Aquileian patriarch became count of Friuli in 1077, and for a short period also count of Istria,<sup>132</sup> the entire extent of western Slovenia was for some time under his public comital lordship. Considering the rights it had, the Aquileian church occupied the best position of all episcopal landowners in Slovene territory, because its patriarch held in one person the combined authority of seigneur, local bishop, and margrave.

### *Conclusion*

Coming to the end of this survey, we may conclude by noting that the foundations of episcopal property in Slovene territory were largely laid in the century between 970 and 1070, which is also the period in which the basic network of seigneuries was established and intensive feudalization took place in what is now Slovenia.<sup>133</sup> It is indicative that of the five bishoprics which had large properties in the Slovene territory, four

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<sup>127</sup> MC 3, no. 918. For a comparison, we must mention that this number was more than 10% of the *mansi* the Freising bishopric had in the entire seignury of Škofja Loka in the same period; Vilfan 1993a, 214 ff.

<sup>128</sup> See Ravnikar 2007, 25 ff.

<sup>129</sup> StUB 1, no. 180. On this charter, see Bernhard 2000, 265 ff.

<sup>130</sup> DD. H. IV., nos. 296, 432. On these two gifts, see Štih 1999, 40 ff.

<sup>131</sup> At least later Kranj was granted together with margraval lordship over Carniola: MC 4/1, no. 2761.

<sup>132</sup> DD. H. IV., nos. 293, 295.

<sup>133</sup> See Vilfan 1980a, 111 ff.

belonged to the Bavarian ecclesiastical province. This discernible pattern is the same as with the secular nobility. In the same way as, once the Magyar incursions ended, the region of the Eastern Alps and Northern Adriatic turned into an area where the Bavarian nobility sought and found options for prosperity and assertion, and soon occupied leading positions here in terms of property as well as lordship,<sup>134</sup> the Bavarian bishoprics strove to establish themselves in the vast colonisation area extending from the Danube in Austria to the Sava in Slovenia and even Istria. The presence of Aquileia as the fifth bishopric that acquired properties in Slovene territory is quite understandable since it exercised ecclesiastical jurisdiction in the area and was essentially a “domestic” bishopric.

The above described episcopal property derived from grants of crown property as well as private property, which often itself derived from royal gifts. However, as the cases of Brixen and Gurk show, episcopal property may have derived from only one of either forms of acquisition. Primarily, but not exclusively, royal gifts were the basis for the origin of large, contiguous territories of episcopal property, where later local territorial courts were established and the bishops exercised local territorial justice. The bishops who received royal lands in the Slovene territory – e.g. Albuin and Altwin of Brixen, Abraham and Ellenhard of Freising, or the Aquileian patriarchs Poppo and Sigehard – were in most cases highly respected representatives of their churches, who played an important role in the wider social and political events of their time. The properties they received on behalf of their bishoprics were granted as a reward for their loyalty and service. Specific reasons for a grant of property to a specific bishop are usually not mentioned in charters, which refer only generally to loyal service and merits. Nevertheless, the reasons for some gifts are quite transparent: Albuin, for instance, received his first granted property in Bled in reward for the fact that he had opened the Brenner road, controlled by the Brixen bishopric in the valley of the Eisack River, on the occasion of Henry II’s first campaign into Italy in 1004. The Aquileian patriarch Sigehard, the former king’s chancellor, received comital lordship in Friuli, Istria and Carniola on Henry IV’s return from Canossa in 1077, when the king sought to consolidate his greatly weakened position in the shortest time possible.

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<sup>134</sup> See e.g. Dopsch 1980; Hausmann 1980; Hausmann 1987; Gänser 1994; Meyer, Karpf 2000; Dopsch, Mayer 2002; Stih 2006.



Fig. 7. Map of episcopal properties.

There are certainly many open questions regarding the origin, beginnings, and development of episcopal property in Slovene territory, questions this survey could not touch upon, let alone answer. The organisation and structure of episcopal property, the rights and lordship of the bishops in their territories and consequently the issue of their integration in the given political framework, episcopal property and the introduction of the *mansus* system and colonisation, the role of episcopal property in the establishment of princely positions by the high nobility, the position of these properties within the entire holdings of individual bishoprics, their position in traffic, trade and the general economy, their historical development and gradual disintegration, etc. All these are off-the-cuff questions that certainly deserve wider, complex, and comparative monographic treatment, which would highly contribute to a better knowledge and understanding of Slovene medieval history.



## CHAPTER FOURTEEN

### THE PATRIARCHS OF AQUILEIA AS MARGRAVES OF CARNIOLA

The patriarchate of Aquileia occupies one of the most important places in the medieval history of the Slovene territory. The bishoprics of Emona, Celeia, and Poetovio were under the metropolitan authority of the patriarch of Aquileia already in Antiquity. In the Middle Ages, i.e. from the early 9th century onwards, most of the territory of the present-day Republic of Slovenia – where with the exception of Koper no other bishopric had its see until 1461 – belonged to the large diocese of Aquileia that stretched from the Tagliamento River in the west to the Drava River at Ptuj in the east, and the metropolitan of Aquileia himself was its bishop. Not only was he its bishop with all the ecclesiastical powers deriving from the position, he was also an important landowner of quite extensive estates in the Slovene territory. Beginning with the late 11th century, the ecclesiastical prince of Aquileia occupied another important position of power: King Henry IV appointed him margrave of Carniola and thus the incumbent of public authority. The connections of the patriarchate of Aquileia with the Slovene territory were thus multilayered and involved its ecclesiastical, political, institutional, economic, cultural, and other history. To date, no comprehensive study of these issues, which are broad enough for an independent monograph, has been published, though this would certainly be desirable and necessary. Given the complex nature and extensiveness of the field implied by the syntagma “The Aquileian patriarchate and Slovene history,” it seems reasonable to address only a less known chapter from the wide range of themes in this short paper. One of these themes is the margravian authority the patriarchs of Aquileia exercised in Carniola in the High Middle Ages.

The March of Carniola was formed when the Magyar incursions ended and the peaceful period following the Battle of Augsburg in 955 enabled new development, reflected in new forms of organisation. The march is first mentioned in two charters issued by Emperor Otto II in 973, which granted the bishopric of Freising an extensive property

centred in Škofja Loka.<sup>1</sup> Ottonian Carniola initially included only Upper Carniola, the Ljubljana Basin, and eastern Inner Carniola. Most of Lower Carniola from the Sava to the lower Krka, which later also belonged to Carniola, was at the time still part of the County (March) of Savinja,<sup>2</sup> which further included the Savinja basin in later Styria. Until around 1000 (probably until 1002), the margrave of Carniola was subordinated to the duke of Bavaria, from 976 to the duke of Carinthia, and later directly to the crown. The County (March) of Savinja came under the jurisdiction of the margrave of Carniola before the mid 11th century and this nearly doubled the area of Carniola, which from then on extended from the Karst's passes in the west to the watershed of the Savinja and Dravinja rivers. The annexation of the County (March) of Savinja was the very reason for the later double names for Carniola: "Carniola and Wendish March" (*Carniola et Marchia Sclavonica que vulgo Windismarch dicitur*). Ljudmil Hauptmann, whose research shed further light on the complex territorial development of Carniola, established that the expression Wendish March indeed referred to the old County (March) of Savinja within expanded Carniola, but more often to its part that extended across the Sava in the south – into Lower Carniola between the Krka and Sava rivers.<sup>3</sup> When Ulric of Weimar-Orlamünde, the margrave of this enlarged Carniola, was additionally made margrave of Istria in 1061, if not earlier,<sup>4</sup> this development signified connections that would be repeated in this region several times over the following centuries, first of all in 1077.

Following the death of Ulric of Weimar-Orlamünde in 1070, the name of the margrave of Carniola disappeared from royal charters and Carniola passed into the *proprietates et potestates* of King Henry IV,<sup>5</sup> who

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<sup>1</sup> DD. O. II., nos. 47 (*in ducatu prefati ducis et in comitatu Paponis comitis quod Carniola vocatur et quod vulgo Creina marcha appellatur*), 66 (*in regione vulgari vocabulo Chreine et in marcha et in comitatu Paponis comitis*). On these two charters, see Štih 1997a, 301–321.

<sup>2</sup> The status of "Saunia" is not quite clear because of the different terminology that is used. See Gradivo 2, 3, s. v. Savinja (980: *comitatus qui dicitur Sovuina*; 1016: *in pago Seuna in comitatu*; 1025: *in comitatu ipsius que nominatur Souna /.../ in eisdem marchie locis*; 1028: *in pago et in comitatu Soune /.../ in eodem comitatu /.../ in eisdem marchie locis*).

<sup>3</sup> Hauptmann 1929, 315–453, especially 344–371; Grafenauer 1991, 390 (map: Territorial development of Carniola from the late 10th century to 1918).

<sup>4</sup> First attested as margrave of Istria in a charter issued by the bishop of Pula, Megingaud; CDI 1, no. 103; UBK 1, no. 37. See Benussi 2004, 343–362.

<sup>5</sup> King Henry granted Carniola *de nostra regali proprietate et potestate* to the Church of Aquileia in 1077 (D. H. IV., no. 296).

did not want to grant it in fief to anyone. The Investiture Controversy, which required him to ensure that the passages between Italy and Germany were under his control, however forced the king to release Carniola from his direct control. Returning from Canossa in the spring of 1077, he had to consolidate his much threatened authority and appointed his loyal supporter Liutold of Eppenstein duke of Carinthia, whose authority also extended over the March of Verona.<sup>6</sup> While in Pavia during the same journey, he granted his former chancellor Sigehard, whom he had appointed patriarch of Aquileia in 1068,<sup>7</sup> and the Church of Aquileia possession of the county of Friuli with all appertaining revenues, rights and ducal lordship.<sup>8</sup> Granting Friuli was the reward or price for Sigehard's renewed support to the king after he had acted as Pope Gregory VII's legate at the assembly of the German opposition princes in Tribur in October 1076.<sup>9</sup> Sigehard then accompanied Henry IV on his journey to Germany<sup>10</sup> and on July 11th, 1077 received from him in Nuremberg two charters granting to the Church of Aquileia the County of Istria<sup>11</sup> and the March of Carniola.<sup>12</sup> The patriarch's sway now included the three counties controlling the eastern accesses to Italy. This triple connection was somewhat reminiscent of the Carolingian March of Friuli from the early 9th century,<sup>13</sup> but it was short-lived.

<sup>6</sup> Die Herrschaft der Eppensteiner in Kärnten, 108 and no. 56; Gänser 1994, 91–92.

<sup>7</sup> Bresslau 1958, 476; Paschini 1990, 233. On the origin of Patriarch Sigehard, see Dopsch 1987, 524–527.

<sup>8</sup> D. H. IV., no. 293: */.../ comitatum Fori Iulii et vilam unam Lunzanicham dictam omneque beneficium, quod Ludouicus comes habebat in eodem comitatu situm, cum omnibus ad regalia et ad ducatum pertinentibus, hoc est placitis collectis fodro distractionibus universis omnique utilitate, que iuste ullo modo inde poterit provenire, sancte Aquilegensi ecclesie et predicto fideli nostro Sigehardo patriarche /.../ in proprium dedimus atque tradidimus.* On this grant, see Schmidinger 1954, 63; Gänser 1994, 96.

<sup>9</sup> Bertholdi annales ad a. 1076; Lamberti Hersfeldensis annales ad a. 1076; Bruno, Liber de bello Saxonico, c. 88; Paschini 1990, 234.

<sup>10</sup> Bertholdi annales ad a. 1077.

<sup>11</sup> D. H. IV., no. 295: */.../ comitatum Histrie tradimus ac perpetua proprietate dicamus, ea quippe ratione ut idem prefatus patriarcha Sigewardus liberam potestatem habeat eundem comitatum possidendi obtinendi vel cuicumque veli dandi.*

<sup>12</sup> D. H. IV., no. 296: */.../ marchiam Carniole de nostra regali proprietate et potestate in proprietatem et potestatem sancte prefate Aquilegensis ecclesie et prenominati eiusdem sedis patriarche Sigehardi suorumque successorum tradidimus et perpetualiter concessimus, ea videlicet ratione ut idem Sigehardus patriarcha eandem marchiam possideat, obineat et omnigena lege et quo sibi placeat iure utatur ac post vite sue decursum successoribus suis cunctis in id ipsum relinquat.*

<sup>13</sup> See Krahwinkler 1992, 183 ff.; Wolfram 1995a, 223, 241 ff.

Although the Church of Aquileia was given possession of Istria and Carniola with unlimited power of disposal, it soon lost both counties. Sigehard indeed failed to return to Aquileia from Germany, as he died on August 12th, 1077.<sup>14</sup> King Henry IV appointed his own chaplain, the Augsburg canon Henry, as its new patriarch. The new patriarch however changed sides, taking the oath of loyalty to Pope Gregory VII in the winter of 1079; he was invested with the ring and staff and given the pall as symbol of his metropolitan position.<sup>15</sup> This may have been the reason why Henry IV dispossessed Aquileia of Istria and Carniola and most likely granted both to Henry of Eppenstein,<sup>16</sup> the brother of Liutold, the duke of Carinthia, who is mentioned in 1077 as intervener in all three deeds of gift to Aquileia.<sup>17</sup> The king's move to dispossess the Church of Aquileia of Istria and Carniola however proved to be ill-considered. In view of the fact that Patriarch Henry is mentioned in charters of Henry IV as intervener in October 1079,<sup>18</sup> and that contemporary pro-papal writers refer to him as *regi satis fidelissimum* and *unus ex intimis regis*,<sup>19</sup> it is quite evident that he was playing a double game in Rome and remained loyal to King Henry IV.<sup>20</sup> The king later admitted that the dispossession of the two counties had been a mistake, blaming it on the incompetence of his advisors.<sup>21</sup> Henry IV attempted to partly repair the damage done when he granted the Church of Aquileia and its patriarch the bishoprics of Trieste and Poreč in 1081, stipulating that the *servitium*, which the bishoprics owed to the king,

<sup>14</sup> Gradivo 3, no. 333.

<sup>15</sup> Bertholdi annales ad a. 1079; Bernoldi chronicon ad a. 1079; Gradivo 3, no. 344; IP 7/1, 32 and no. 69, 33 and no. 70.

<sup>16</sup> Undisputed only for Istria: *.../ quia suus [Udalrici] frater Luitoldus aliqua sui iuris, ut sibi visum est, scilicet ducatum Carinthie, concessione regia obtinuit, et alter eius frater [Heinricus] marchiam Istriam sub eadem concessione possedit*; Continuatio Casuum S. Galli, c. 7; MC 3 no. 480. It is highly likely that he granted him Carniola as well. Henry IV indeed did not keep Carniola to himself, as is evident from D. H. IV., no. 432 stating that he took Carniola away from Aquileia and granted it to someone else (*eandem marchiam [Carniolam] praedictae ecclesiae subtrahendo abstulimus, alii eam concedentes*). See Mell 1888, 46; Benussi 2004, 366; Die Herrschaft der Eppensteiner in Kärnten, 49 and no. 65, 110 ff.

<sup>17</sup> DD. H. IV., nos. 293, 295, 296.

<sup>18</sup> DD. H. IV., nos. 317, 318.

<sup>19</sup> Bonizonis episcopi Sutrini Liber ad amicum, lib. 8; Bertholdi annales ad. a. 1079.

<sup>20</sup> In the summer of 1080 Patriarch Henry and his suffragans together signed the decisions of the synod of Brixen in the presence of King Henry IV; these included the removal of Gregory VII, and the pope excommunicated the Aquileian patriarch in 1081 (IP 7/1, 33 and no. 71).

<sup>21</sup> D. H. IV., no. 432: *consilio quorundam non bene nobis consulentium*.

belonged from then onwards to the patriarch, who also obtained the right to choose, invest, and ordain the bishops of the two dioceses.<sup>22</sup>

In 1086, Ulric of Eppenstein became the new patriarch of Aquileia.<sup>23</sup> He was the brother of the duke of Carinthia, Liutold, and the Istrian (and Carniolan) margrave Henry, who also held the advocacy for the Church of Aquileia.<sup>24</sup> Loyal supporters of the emperor, the Eppensteins had reached one of the peaks of their power. But only four years later Liutold died and was succeeded as duke of Carinthia by his brother Henry. Henry is mentioned as duke of Carinthia for the first time in 1093, in a charter issued in Pavia, in which Emperor Henry IV on request of his brother, Patriarch Ulric, granted a certain property to the monastery of St. Gallen, whose abbot Ulric had previously been.<sup>25</sup> On the same day, the emperor once more granted the Church of Aquileia the March of Carniola,<sup>26</sup> but not Istria, where in the same year of 1093 a new margrave is mentioned for the first time: Poppo of Weimar-Orlamünde.<sup>27</sup>

Based on these mentions, it appears that the emperor's grant of the vacant duchy of Carinthia to Henry of Eppenstein must have been connected with the latter's renunciation of Istria and Carniola. The negotiations on these issues probably ended only in Pavia in 1093, where the two Eppenstein brothers as well as the emperor were staying, and with the following outcome: Henry of Eppenstein was made duke of Carinthia<sup>28</sup> and therefore renounced Istria and Carniola, but it is not

<sup>22</sup> DD. H. IV., nos. 338, 339; See Schmidinger 1954, 69.

<sup>23</sup> See Paschini 1990, 238 ff.

<sup>24</sup> See Die Herrschaft der Eppensteiner in Kärnten, 52 and no. 70, 55 and no. 74; Hausmann 1987, 553 ff. His father Marquard had already been the advocate of Aquileia, and Henry probably assumed the position upon his father's death in 1078. At that time he presumably granted Egg (at Faaker See) in Carinthia to the Church of Aquileia *pro advocacia*; Die älteren Urkunden des Klosters Moggio, no. 2.

<sup>25</sup> D. H. IV., no. 431; See also Die Herrschaft der Eppensteiner in Kärnten, 56 and no. 75.

<sup>26</sup> D. H. IV., no. 432: *[...] predictam marchiam [Carniolam] Aquileiensi ecclesie ad honorem sancte Marie sanctique Hermacore in proprium dedimus cum tali iure et iusticia, qua eam nos habuimus et antecessores nostri reges vel imperatores habuerunt, ea scilicet ratione ut predictus scilicet Vdolicus patriarcha eiusque successores liberam potestatem inde habeant possidendi obtinendi vel quicquid illis ad utilitatem ecclesie placuerit inde faciendi.*

<sup>27</sup> MC 3, no. 498 *Poppo Histriensis marchio*. See also Benussi 2004, 369 ff. and notes 128–136 with further mentions, refuting beyond any doubt the opinion that Burchard of Moosburg was the margrave of Istria from 1091 to 1101; See Hausmann 1987, 553 and note 20.

<sup>28</sup> See Klaar 1966, 116 ff.; Fräß-Erhfeld 1984, 145.

clear whether he maintained advocacy over the Church of Aquileia.<sup>29</sup> Carniola thus returned to Aquileia, but not so Istria, which the emperor granted to the son of the margrave of Istria and Carniola, Ulric of Weimar-Orlamünde, after the latter's death in 1070. As a sort of compensation for Istria, the emperor then granted the patriarch of Aquileia the right to choose the bishop of Pula,<sup>30</sup> and this brought the last Istrian bishopric under the authority of the Church of Aquileia.

We know next to nothing about Aquileia's second period of rule in Carniola. Antonio Belloni reports in the 16th century that Henry V had granted Patriarch Gerhard (1122–1129) the March of Carniola, but his account is far from reliable.<sup>31</sup> Throughout the 12th century, Carniola is not mentioned as a march, and neither the patriarchs<sup>32</sup> nor anyone else carries the title of margrave of Carniola. In this same period, Carniola is not mentioned in any confirmation grant to Aquileia, and according to Walter Lenel it is highly questionable whether the patriarchs really had possession of Carniola in the 12th century.<sup>33</sup> In 1132, Pope Innocentius II granted Patriarch Pelegrin I metropolitan jurisdiction over 16 dioceses and confirmed him *comitatum, marchiam et ducatum* conferred by royal and imperial privileges.<sup>34</sup> This confirmation was repeated with the same words by Pope Alexander III in 1177,<sup>35</sup> while Emperor Frederick I Barbarossa confirmed to the Church of Aquileia *ducatu et comitatu Forijulii et villa de Lucenigo cum omnibus ad ducatum et regalia pertinentibus* in 1180.<sup>36</sup>

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<sup>29</sup> The answer depends on when exactly Henry of Eppenstein – with the consent of Burchard of Moosburg, who was appointed advocate of Aquileia on the same day – issued the undated documented transferring *placitum advocatiae*, to the patriarch of Aquileia (his brother Ulric). The charter has been published with different dates: Gradivo 3, no. 393 (1090); MC 3, no. 532 (1106); Die Herrschaft der Eppensteiner in Kärnten, 55 and no. 74 (1093?); Diplomi patriarcali, no. 3 (1093?); RG 1, no. 162 (1101–1102).

<sup>30</sup> D. H. IV., no. 433. On the issues concerning this charter, see Lenel 1911, 96 and note 2.

<sup>31</sup> De vitis et gestis patriarcharum Aquileiensium, 41: *Marcha Carniolae ab Henrico IV. imperatore Henrici III. filio dono data Geroldo* [Gerardo].

<sup>32</sup> Attention must be drawn to the fact that the Aquileian patriarchs never carried the title of counts of Friuli, even though they held the title from 1077 onwards; see note 8.

<sup>33</sup> Lenel 1911, 131.

<sup>34</sup> IP 7/1, 35 and no. 79. On reading *comitatum* instead of *comitatus*, see Lenel 1911, 97 and note 1.

<sup>35</sup> IP 7/1, 39 and no. 100.

<sup>36</sup> D. F. I., no. 791. 1193 Emperor Henry VI confirmed *ducatum Fori-Julii* to the Church of Aquileia (RG 1, no. 298; Gradivo 4, no. 824), Otto IV did so in 1209. (*Acta imperii inedita* 1, no. 23; Gradivo 5, no. 143; RG 1, no. 343), at the time when Patriarch

Aquileian historiographical works of later date claim that Frederick I confirmed to their church *marchiam Istriae et Carniolae ducatum et comitatum Forojulii*,<sup>37</sup> but this information is inaccurate for the simple reason that the Spanheims held the office of margrave in Istria until 1173, and they were succeeded by the Counts of Andechs.<sup>38</sup> It is interesting, though, because it shows how the terms *comitatus*, *marchia* and *ducatus* were interpreted in Aquileia. Lenel indeed claims that in the two above-mentioned papal confirmation grants these three terms refer exclusively to Friuli,<sup>39</sup> while Hauptmann thinks that *marchia* refers to property outside Friuli, and the only known such property after 1093 was Aquileian Carniola.<sup>40</sup> Hauptmann's assumption is supported by the fact that royal charters associate *comitatus Forijulii* only with *ducatus*,<sup>41</sup> the (ducal) authority the patriarchs of Aquileia had in Friuli,<sup>42</sup> but never with *marchia*. The papal confirmation grants may well have been interpreted in Aquileia as confirming their jurisdiction over Carniola as well, even though this is not explicitly mentioned. That Aquileia was indeed interested in Carniola, and that the patriarchs had not forgotten that it fell under Aquileian jurisdiction, is indicated by a notary copy of the privilege from 1077 that granted them Carniola, which they had drawn up in the late 12th century.<sup>43</sup>

On the other hand, however, we know that Margrave Henry IV of Andechs ruled in Carniola in the same period. Accused of involvement in the murder of King Philip of Swabia in 1208,<sup>44</sup> he was deprived of *marchia Carniole et Ystrie cum comitatu* at the Imperial diet in Frankfurt by judgement of the princes. However, only Istria was restored to the empire (*ad dominium imperii*), but not Carniola; as it was now vacant, Emperor Otto IV granted Istria to the duke of Bavaria. This grant was however contested by the Aquileian patriarch Wolfger, who in January 1209 submitted to the emperor in Augsburg the charter from 1077,

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Wolfger persuaded the king to grant him Istria once more (see below). All three confirmation grants of Frederick I, Henry VI, and Otto IV refer to the charter issued by Henry IV in 1077 (D. H. IV., no. 293).

<sup>37</sup> Gradivo 4, no. 432.

<sup>38</sup> Benussi 2004, 387 ff.

<sup>39</sup> Lenel 1911, 119 and note 2.

<sup>40</sup> Hauptmann 1929, 389.

<sup>41</sup> See notes 8, 36, and Acta imperii inedita 1, no. 198. Frederick II confirmed to the patriarch of Aquileia among others: *ducatum et comitatum Foriulii et villam de Luncinico cum omnibus ad comitatum et ducatum pertinentibus*.

<sup>42</sup> Schmidinger 1954, 64.

<sup>43</sup> D. H. IV., no. 296 (preliminary note); Lenel 1911, 186.

<sup>44</sup> For details, see Hucker 1998, 111 ff., especially 119 ff.

proving that King Henry IV had granted Istria to the Church of Aquileia. The duke of Bavaria had to renounce Istria, and Aquileia obtained it for the second time.<sup>45</sup> Henry IV of Andechs was thus deprived of Istria and Carniola by judgement of the imperial princes, but only Istria was restored to the empire, and the emperor granted it to someone else, but not so Carniola since the patriarch could claim, in the same way as he did about Istria, that it belonged to Aquileia. Henry IV of Andechs thus lost more than Otto IV subsequently granted to others. Ljudmil Hauptmann explained the disparity in this way: Carniola did not return to the crown because the Andechs family did not have it in fief from the crown; it was returned to the actual fief holder to whom the crown had granted it – the Church of Aquileia.<sup>46</sup> Its patriarch Wolfger carried the title of *Istrie et Carniole marchio* already in 1210,<sup>47</sup> and King Frederick II issued a confirmation grant of Carniola (as a united march together with Istria) to Aquileia in 1214.<sup>48</sup>

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<sup>45</sup> Acta imperii inedita 1, no. 55; Urkunden zur Geschichte Krains, 41 ff. and no. 17: *Ad noticiam itaque omnium presentis etatis et in evum successure posteritatis hominum transmitti volumus, quod cum propter enormes excessus Henrici quondam marchionis Ystrie, quos ipse nomine criminis lese maiestatis in decessore nostro domino Phylippo commisit, marchia Carniole et Ystrie cum comitatu et universis pertinentiis suis et tam feudum quam alodium et omnis honor suus in generali curia nostra Frankenfurt per sententiam principum sibi fuerint abiudicata et ad dominium imperii marchia Ystrie libere et absolute sit addita, nos eandem marchiam nobis et imperio vacantem tunc fidei nostro Ludovico duci Bavarie iure feudali concessimus. Procedente vero tempore dilectus princeps noster Wolfcherus patriarcha Aquilegensis ad curiam nostram apud Augustam accedens, in presencia principum de predicta marchia nobis questionem movit et, quod ex antiqua donatione Henrici regis augusti tercii ecclesie Aquilegensis pertineret, privilegiis autenticis ipsi ecclesie collatis evidentissime in publico curie nostre presentibus principibus nobis demonstravit. Nos igitur manifeste sue assertionis attendentes veritatem, ne occasione nostra tanti honoris pariterque utilitatis beneficio privari videretur Aquilegensis ecclesia, ad instantiam precum nostrarum universorumque principum prefatus dux sepe dictam marchiam sine omni contradictione in manus nostras resignavit et nos eam ab omni impetitionis nota ab ipso absolutam Aquilegensis ecclesie cum omni honore et universis pertinentiis cum omni iure imperiali libere et absolute possidendam in perpetuum donamus et tradimus atque concessimus.* On the issues concerning this document, dated as late as May 8th, 1210 in Cremona, see Lenel 191, 130 ff., 174 ff.; Kos M. 1985, 248 ff.; Komac 2006, 65 ff. Schmidinger 1954, 89, erroneously states that Otto IV granted the Church of Aquileia Istria and Carniola as well.

<sup>46</sup> Hauptmann 1929, 390 ff.

<sup>47</sup> Gradivo 5, no. 166.

<sup>48</sup> CDI 2, no. 215; Gradivo 5, no. 219: *Insuper marchiam Carniolam et Istriam cum comitatu et honore et universis pertinentiis omnique iure imperiali, secundum quod ab antecessore nostro Ottone imperatore tunc autem rege, Aquilejensi ecclesie de consilio et voluntate principum ratione antiquorum privilegiorum suorum libere et absolute Wolcherio patriarchae supradicto et per eum Aquilejensi ecclesie in perpetuum possidendum donavit atque concessit, atque suo privilegio donavit atque confirmavit.*



This means that it was the patriarch of Aquileia who granted margravian authority in Carniola in fief, and that the counts of Andechs ruled in Carniola as the patriarch's deputies, not as margraves appointed by the king. This quite unique and unusual arrangement is attested by a charter from 1261,<sup>49</sup> by which Patriarch Gregory de Montelongo granted the duke of Carinthia, Ulric III, who also carried the title of lord of Carniola, *dominus Carniolae*,<sup>50</sup> in fief *tota iurisdictio marchie Carniole*, in other words the entire jurisdiction that fell to the margrave. Furthermore, the patriarch also granted Kranj, the original centre of Carniola and the seat (fief) of its margrave, to Ulric.<sup>51</sup>

The patriarchs of Aquileia thus did not rule in Carniola themselves, but they granted the margravian authority that fell to them as a hereditary fief<sup>52</sup> to their deputies. In fact, this is how they alienated Carniola from their property, and may also explain Carniola's absence from Frederick's 1180 confirmation grant. The disaster of Henry IV of Andechs indeed returned Carniola to Aquileia so unexpectedly that they practically acquired it all over again. This impression was so powerful that later royal grants confirmed (united) Carniola and Istria to Aquileia as if Otto IV had been the first to grant Carniola to Aquileia.<sup>53</sup>

Very little is known about the deputation of the margrave of Carniola. The roots of this institution may originally have been connected with the area of the old County (March) of Savinja within expanded Carniola and date back to the late 11th or early 12th centuries.<sup>54</sup> On the one hand, it may have derived from the traditions of the independent

<sup>49</sup> MC 4/1, no. 2761.

<sup>50</sup> UBK 2, no. 180.

<sup>51</sup> See Krones 1889, 363 and note 138; Hauptmann 1929, 391; Kos 1985, 238 ff.; Žontar 1982, 12 ff.

<sup>52</sup> Attested in 1261 (See note 49): *.../ dominus patriarcha /.../ investivit sepeditum dominum ducem pro se et heredibus suis legitime descendantibus /.../*. In 1274 the king of Bohemia, Ottokar II Přemysl asked the patriarch of Aquileia to grant him the fiefs and rights the deceased duke of Carinthia, Ulric III, held from the Church of Aquileia; these among others included margravian jurisdiction – *iudicia a Craymperch usque ad Chaltenprunnen*. The patriarch responded that these fiefs were restored to the Church of Aquileia after Ulric III's death since he had died *absque herede legitimo* at the time of sedisvacance and that they could not be granted further without special permission from the pope (MC 5, no. 151). On this issue, see Dopsch A. 1899, 21 ff.

<sup>53</sup> See note 48 (Frederick II's confirmation grant to Patriarch Wolfger of 1214) and almost literally in the confirmation grant of Frederick II to Patriarch Berthold 1220: *Acta imperii inedita* 1, no. 198; *Urkunden zur Geschichte Krains*, 43 ff. and no. 18; *Gradivo* 5, no. 323.

<sup>54</sup> See Hauptmann 1935, 222.

County (March) of Savinja from the first half of the 11th century, or, on the other hand, from the power still exercised in the area by the third generation of relatives of St Hemma and her husband, Count William II, who prior to his death in 1036 was the biggest landowner in the region and simultaneously the count (margrave) of Savinja.<sup>55</sup> It seems that Starchand II already held the position of deputy of the Carniolan margrave around 1100. He was a descendant of Hemma's close relative Asquinus, the advocate of the convent in Gurk, Carinthia, who together with his brothers received most of the vast property which Hemma did not grant to the convent she had founded in Gurk. Though Starchand carried the title of margrave of Savinja (*marchio de Soune*), his name is not mentioned in lists of witnesses to charters in any of the places that would be rightfully his as the actual margrave.<sup>56</sup> Similarly, the deputy of the margrave of Istria, who was the patriarch of Aquileia as well from 1208, carried the title of *marchio (Istrie)* from the last third of the 13th century onwards, even though his position was only that of the patriarch's official.<sup>57</sup> The Savinja region is mentioned as a special "landgrave county" (*lantgrafschaft in dem Sewental*) within Carniola<sup>58</sup> as late as 1311, and the deputy of the margrave could therefore be called "landgrave."<sup>59</sup>

The counts of Andechs probably gained the position of deputies in Carniola around the mid 12th century.<sup>60</sup> At that time they already had in their possession entire eastern Upper Carniola, and their seat centre was in Kamnik, after which Berthold of Andechs called himself around 1145 *comes de Stain*.<sup>61</sup> The deputy or "landgrave" of Carniola at the time may well have been Count Poppo I of Heunburg, who possessed (margravial) Kranj and as such carried the title of *comes de Creine*<sup>62</sup> in 1141. In the same period, Poppo's nephew Günther of Hohenwart carried the title of margrave of Savinja or Celje (*marchio de Soune*,

<sup>55</sup> On the genealogy and possessions of Hemma's family, see Hauptmann 1935, 215 ff.; Hauptmann 1936, 221 ff.; Dopsch 1971, 95 ff.; Dopsch 1988, 11 ff.

<sup>56</sup> StUB 1, nos. 94, 95; MC 3, nos. 516, 517: he is mentioned as *marchio* in fifth place, behind William of Heunburg, who was a *comes*. See Hauptmann 1929, 365.

<sup>57</sup> CDI 3, no. 349; 4, nos. 564, 685, 716, 750. See Lenel 1911, 148 ff.; Vergottini 1926–1927, 110 ff.

<sup>58</sup> MC 8, no. 47.

<sup>59</sup> As in Hauptmann 1929, 391 and note 4.

<sup>60</sup> In 1150 Berthold of Andechs is first mentioned as *fidelis* of the patriarch of Aquileia; MC 3, no. 900.

<sup>61</sup> MC 3, nos. 770, 1377/I; Gradivo 4, nos. 195, 235.

<sup>62</sup> StUB 1, no. 214; Gradivo 4, no. 173.

*marchio de Cylie*),<sup>63</sup> and this not only indicates how the counts of Heunburg had acquired Celje, but we may even assume that in the first half of the 12th century two deputations of the margrave existed in Carniola – one for the original March of Carniola and another one for the County (March) of Savinja – which then merged under the powerful Andechs family.

In any case, the position of the patriarch as margrave of Carniola was fragile from the very beginning. He owned little property and, in addition, it was scattered between the Upper Savinja in the east and Cerknica in the west.<sup>64</sup> Moreover, the core Aquileian properties in Carniola, around Cerknica – it was with this property that Emperor Henry III opened up Carniola to the patriarchate in 1040<sup>65</sup> – had a very marginal location and was better connected with the Aquileian estates in the Karst and Friuli than with its Carniolan hinterland. A further problem was that the patriarch faced more than a dozen great landowners in the 12th century,<sup>66</sup> among them such whose power far exceeded that of a margrave, and it is therefore not surprising that what little power the patriarch had in Carniola slipped from his hands and that deputies ruled instead. Because of the scattered nature of the patriarchate's properties it seemed as if the march had disintegrated and state power was being extinguished. In reality, however, it was private power that moved the Carniolan (state) border from the Gorjanci Hills and the Krka to the Kolpa and Bregana in the south of Carniola at the expense of Croatia and Hungary in the late 12th or early 13th centuries.<sup>67</sup>

<sup>63</sup> MC 3, no. 568; StUB 1, no. 218; Gradivo 4, nos. 70a, 198. See also Hauptmann 1935, 221 ff.; Dopsch 1970, 319, 328 ff. and the genealogical table in the supplement.

<sup>64</sup> For a detailed picture of Aquileia's properties, see Hauptmann 1929, 392; Mell 1888, 131.

<sup>65</sup> D. H. III., no. 19: *!...! ob fidele servitium Popponis patriarche Aquilegensis ecclesie cui idem presidet, in honorem scilicet sanctorum Hermachore et Fortunati constructe L regales mansos, id est villas Circheniza cum ceteris villis inibi adiacentibus ad explendos tot prescriptos regales mansos in marchia Creina in comitatu Eberardi marchionis sitos cum omni pertinentia in proprium tradidimus.* With this deed of gift the Church of Aquileia, headed by Patriarch Poppo, was given possession of nearly the entire Inner Carniola which had originally belonged to Carniola – the wide belt stretching from Logatec to Lož. See Vilfan 1980a, 116; Okoliš 1995, 359.

<sup>66</sup> The great ecclesiastical landowners in Carniola were the bishoprics of Salzburg, Freising, Brixen and Gurk. The great secular landowners were the Spanheims, who had the rank of dukes, followed by the families of comital rank: the Andechs, Ottokars (of Traungau), Bogen, Heunburg, Ortenburg, Gorizia, and three families of the free nobility rank (*liberi*): Puchs, Auersperg and Sannegg. See Hauptmann 1929, 392 ff.

<sup>67</sup> Hauptmann 1929, 405 ff.; Kosi 1995, 19 ff.

It is not clear whether the Church of Aquileia granted Carniola, or rather margravian authority and the appertaining rights and revenues, in fief after the March of Carniola was returned to it in 1209, or whether it maintained this domain as its immediate property. King (Emperor from 1220) Frederick II first confirmed Carniola to Patriarch Wolfger in 1214<sup>68</sup> and again to Patriarch Berthold of Andechs in 1220.<sup>69</sup> Both patriarchs entitled themselves as margraves of Carniola,<sup>70</sup> but there are no indications that they indeed exercised the authority deriving from the title. Unlike in Istria, where the Church of Aquileia energetically started to assert its princely authority under these two patriarchs,<sup>71</sup> nothing changed in Carniola. In spite of the above-mentioned judgment and the loss of allods and fiefs, the position of Henry IV of Andechs was not threatened, and in 1209 he granted allodial property in Kamnik, calling himself *dei gratia marchio Ysthrie*.<sup>72</sup> Given the presence of the dukes of Spanheim and Babenberg, as well as the counts of Andechs and Heunburg, who all exercised princely authority in their Carniolan properties,<sup>73</sup> the aspirations the patriarch of Aquileia had to assert himself as lord of the land were doomed to fail. In the ten years from 1208 to his death in 1218, Patriarch Wolfger never visited Carniola and did not issue a single charter concerning Carniolan affairs. Neither did the situation change under his successor, Berthold, whose brother Henry IV of Andechs was the most powerful dynast in Carniola and had the best prospects to become prince of Carniola. Berthold too refrained from intervening in Carniolan affairs and never visited Carniola during his brother's lifetime.<sup>74</sup> It was only when Henry IV died in 1228 that the patriarch of Aquileia became active once more. Henry's other brother, the duke of Merania, Otto VII, indeed wanted to assume Henry's position in Carniola: he started to entitle himself as *marchio Istrië*<sup>75</sup> and issued confirmation grants for the properties his late brother had granted.<sup>76</sup> Berthold obviously believed that this was the right moment to revive Aquileia's rights and he visited Carniola for

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<sup>68</sup> See note 48.

<sup>69</sup> See note 53.

<sup>70</sup> Gradivo 5, no. 166 (1210), no. 231 (1214), no. 354 (1222); CDI 2, no. 276 (1246).

<sup>71</sup> See Lenel 1911, 131 ff.; Vergottini 1926–1927, 88 ff.; Schmidinger 1954, 144 ff.

<sup>72</sup> UBK 2, no. 18.

<sup>73</sup> For details, see Hauptmann 1929, 412 ff.

<sup>74</sup> Kos M. 1917, 10.

<sup>75</sup> For the first time only ten days after his brother's death: UBK 2, no. 58.

<sup>76</sup> UBK 2, no. 66.

the first time,<sup>77</sup> but he failed to reach a satisfactory agreement with his brother. The decision in favour of the patriarch fell only after an intervention by the emperor in San Germano in southern Italy in 1230, where Berthold was one of the principal mediators in the peace made between Frederick II and Pope Gregory IX, while his brother, Duke Otto VII, was among the princes present.<sup>78</sup> “In gratitude to his friend” Berthold, Frederick II confirmed to the Church of Aquileia its property and declared that he wanted to grant Carniola to Aquileia forever.<sup>79</sup> He additionally issued a charter declaring that Otto VII renounced to the benefit of the patriarch all the rights in Istria and Carniola held fief from the empire by the Church of Aquileia.<sup>80</sup>

Carniola was thus once again granted to Berthold and the Church of Aquileia, and the most serious contender for lordship in Carniola withdrew from the contest. But a new competitor soon took his place: the duke of Austria and Styria, Frederick II of Babenberg. Through mediation by Patriarch Berthold, Frederick’s father Leopold VI (who died in San Germano in the summer of 1230)<sup>81</sup> had succeeded in ensuring, in 1229, that the bishop of Freising granted him the fief that the late Henry IV of Andechs had from his Church in the Wendish March in Carniola.<sup>82</sup> In the same year, Frederick II married Agnes, the daughter of duke Otto VII, who the following year withdrew from the struggle for power in Carniola, possibly to make way for his ambitious son-in-law. The marriage brought Frederick II of Babenberg the greatest part of the heritage after his wife’s uncle, Henry IV, and made him one of the greatest, if not the greatest,

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<sup>77</sup> UBK 2, nos. 59 (1228, X. 18.), 66 (1228, X. 29.). The place of issue of these two charters of Berthold may not be mentioned, but the facts that the first charter founded a parish in Črnomelj and that most of the witnesses were Carniolans, and that the second charter – referring to the monastery in Gornji Grad – was written by Henry, parish priest of Cerklje, Upper Carniola, suggest that both charters were issued in Carniola. See Kos M. 1917, 10 ff.; Kos D. 1994a, 195 ff.

<sup>78</sup> See Dopsch, Brunner, Weltin 1999, 187.

<sup>79</sup> Regesta Imperii 5, no. 1804.

<sup>80</sup> Urkunden zur Geschichte Krains, 158 and no. 49: /.../ *idem dux Meranie in presentia principum ceterorum nostrorum conspectui se presentas petitionis quam dudum contra eundem patriarcham de marcha et comitatu Histrie et Carniole, quos dictus patriarcha in feudum pro eadem Aquilegensis sede ab imperio tenet, dudum et sepe jam moverat, spontanea cessione et gratuita voluntate remittens in perpetuum ei et eidem sedi Aquilegensis, omne jus et questionem que contra eum in eisdem marcha et comitatu Histrie et Carniole requirere poterat si quid juris in iis videbatur habere.*

<sup>81</sup> BUB 4/2, no. 1151.

<sup>82</sup> BUB 2, no. 280; BUB 4/2, no. 1120.

landlord in Carniola.<sup>83</sup> In 1232, he was the first to assume the title of *dominus Carniolae*<sup>84</sup> in demonstration of the objective of his Carniolan politics: to remove all other lords of the land and unite Carniola under his princely lordship.

The patriarch was not just pushed aside once more, the last ties connecting Carniola at least formally with Aquileia had now been severed. When Emperor Frederick II deprived the excommunicated duke Frederick II of Babenberg of the imperial fiefs in 1236, subjugating them to his direct administration,<sup>85</sup> Carniola was obviously counted in together with Austria and Styria, because the emperor's orders were addressed at the officials appointed *per ducatus Austrie et Styrie nec non per marchiam Carniole*.<sup>86</sup> Though the emperor confirmed to Patriarch Berthold and the Church of Aquileia in 1230 that they held Carniola in fief from the crown,<sup>87</sup> he treated Carniola as if it belonged to Frederick II of Babenberg only six years later. This attitude was even more evident in 1245, in the draft of a charter Emperor Frederick II intended to issue to elevate the duchies of Austria and Styria into a kingdom within the empire and duke Frederick II as its king. With this charter the emperor granted the duke, whom he addressed among others as *comes Carniole*, the right to make "the province of Carniola a duchy," which he could then grant in fief. The would-be king was to appoint his relative Anselin as the first duke of the new Duchy of Carniola.<sup>88</sup> The plan completely ignored the rights Aquileia had to Carniola, but it was never put in practice.<sup>89</sup> However, if the assumption that Anselin was the illegitimate son of patriarch Berthold is correct,<sup>90</sup> this may have been the price the patriarch was willing to pay for renouncing Carniola. Anyhow, the charter whose contents had been agreed was never issued because

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<sup>83</sup> See Hauptmann 1929, 412. To Hauptmann's list must be added the large estate of Laško at the lower course of the Savinja and extending to the Sava at the important crossroads by Zidani most.

<sup>84</sup> BUB 2, no. 295.

<sup>85</sup> See Lechner 1985, 281 ff.; Dopsch, Brunner, Weltin 1999, 192 ff.

<sup>86</sup> StUB 2, no. 350. See also no. 249, with which Emperor Frederick II granted protection to the possessions of the German Order of Knights *in ducatus Austrie et Styrie et marchia Carniole*.

<sup>87</sup> See note 80.

<sup>88</sup> BUB 4/2, no. 1265: *Ad decus preterea regni tui presentis privilegii auctoritate permittimus, ut de provincia Carniole ducatum facias immediate tibi et per te nobis et successoribus nostris et imperio responsurum, et ut in ducatu ipso Anselinum cognatum tuum, fidelem nostrum, in ducem valeas promovere, plenam tibi concedimus potestatem.*

<sup>89</sup> See Lechner 1985, 294 ff.; Dopsch, Brunner, Weltin 1999, 197 ff.

<sup>90</sup> See Mell 1888, 94 and note 1.

another deal, the emperor marrying the niece of the duke of Austria and Styria, fell through. As this also buried the plans to found a new kingdom, Carniola had to wait for over a century before the ambitious Habsburg duke Rudolf IV elevated it to ducal status in a rather low-key fashion in 1364.<sup>91</sup>

When Duke Frederick II died the next year as the last of the Babenbergs, Patriarch Berthold, who after a long intermission could again call himself *Istriae atque Carniolae marchio* in the spring of 1246,<sup>92</sup> and who had joined the papal side, making the emperor his enemy,<sup>93</sup> appointed a special Aquileian *vicedominus* in Carniola right away.<sup>94</sup> The emperor however treated Carniola in the same way as Austria and Styria: he declared that all three fell to the empire and appointed Count Otto of Eberstein as their imperial deputy;<sup>95</sup> after the count's resignation in 1248, he then appointed Count Meinhard III of Gorizia. Meinhard was appointed deputy (*generalis capitaneus*) of Austria<sup>96</sup> and Styria,<sup>97</sup> but his authority extended over Carniola as well,<sup>98</sup> where he immediately pounced on the Andechs and Aquileian properties and weighed down so heavily on Berthold that the latter had to approach his family's old rivals, the Spanheims. The Spanheim family wanted to occupy the position previously held in Carniola by Frederick II of Babenberg, and Ulric III of Spanheim married Frederick's widow Agnes in 1248 – the same year the lady accorded herself the title of *ducissa quondam Austrie et Stirie, Carniole domina*<sup>99</sup> – to lay his hands on the Andechs property. In 1250 he made a military alliance with Berthold aimed against the counts of Gorizia.<sup>100</sup> Finding himself in such a desperate situation, the patriarch, who did not renounce the rights of the Church of Aquileia to Carniola, obviously granted his new ally margravian lordship in Carniola as well. Ulric III, who called himself *dominus Carniole* already in 1252,<sup>101</sup> then acquired margravian

<sup>91</sup> Hödl 1988, 98.

<sup>92</sup> CDI 3, no. 276.

<sup>93</sup> Paschini 1990, 328 ff.

<sup>94</sup> Hauptmann 1929, 419 and note 2; Žontar 1966, 281.

<sup>95</sup> RG 1, no. 522.

<sup>96</sup> RG 1, no. 553.

<sup>97</sup> RG 1, no. 527.

<sup>98</sup> RG 1, no. 546, 547.

<sup>99</sup> UBK 2, no. 155.

<sup>100</sup> MC 4/1, no. 2441.

<sup>101</sup> UBK 2, no. 180. The charter in which Ulric III called himself *dominus Carniole* in 1247 is wrongly dated MCCXLVII instead of the correct MCCLXVII; See MC 4/2, nos. 2948, 2949.

Kranj,<sup>102</sup> where he was entitled to princely (regalian) rights, not later than 1253.<sup>103</sup>

Patriarch Berthold died in 1251 and a new era began for the Church of Aquileia, which had reached one of its peaks under his rule. At the same time, the *interregnum* (1250-1273) caused a state crisis that led to many changes and ended in the southeast of the German Empire with the emergence of new political powers. In the area under study, the Carinthian Spanheims died out, Ottokar II Přemysl shone like a comet, the counts of Gorizia and Tyrol rose, and the Habsburgs moved into the Eastern Alps.<sup>104</sup> Carniola too was involved in the turbulent political history of the period, when a dynamic struggle for princely lordship, full of sudden turns, ensued that was closely connected with the complex occurrences of the wider area. How the "Carniolan issue" was addressed at this turning point in history has been dealt with in detail by Alfons Dopsch<sup>105</sup> and Ljudmil Hauptmann,<sup>106</sup> and it will therefore suffice here to point out only the most important developments leading to the extinction of the authority of the patriarchs in Carniola.

Although Emperor Frederick II treated Carniola towards the end of his life as if the Church of Aquileia had no rights whatsoever to it, the patriarchate again succeeded, around 1250, in being acknowledged as the legitimate holder of margravian authority, and the patriarchs once more granted it in fief. It was granted in fief to Ulric III of Spanheim for the first time, but he later lost it when he started war against Aquileia in Carniola.<sup>107</sup> He regained the fief with the peace of Cividale in 1261. Patriarch Gregory de Montelongo again granted Ulric and his legitimate descendants Carniola in fief as well as *tota iurisdictio marchie Carniole*, but he exempted from the fief all Aquileian and some other

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<sup>102</sup> UBK 2, no. 200.

<sup>103</sup> UBK 2, no. 225 (1256): *Insuper contulimus ipsis [comitis de Ortemburch] titulo feodali in civitate Chreinburch aream, in qua licebit eis et poterunt pro voluntate sua municionem erigere cum porta, ubi libere habebunt introitum et egressum.*

<sup>104</sup> See Dopsch, Brunner, Weltin 1999, 441 ff.

<sup>105</sup> Dopsch A. 1899, 1-111.

<sup>106</sup> Hauptmann 1929, 420-434.

<sup>107</sup> Hauptmann 1929, 421. In 1257 Patriarch Gregory de Montelongo ceded to the bishopric of Freising *iudicium nostrum provinciale in temporalibus* for the Freising property in Carniola, with the clause *illud ibidem nostro nomine tantum usque ad nostre voluntatis beneplacitum excerendum* (UBK 2, no. 246), which clearly shows that the patriarch himself was the holder of margravian authority and that he delegated it to others.



estates,<sup>108</sup> thus dividing margravian authority among several holders. Ottokar II Přemysl occupied Carniola and Carinthia in 1270 based on the inheritance agreement he had with Ulric III of Spanheim,<sup>109</sup> who died in 1269, and accorded himself the title of *dux Karinthie* and *dominus Carniole (et Marchie)*;<sup>110</sup> in 1274, he again requested Patriarch Raimundo della Torre to grant him the margravian authority Ulric III had held long since in fief from the Church of Aquileia.<sup>111</sup> However, this was already the time when the new king, Rudolf I, issued a decree at the Diet of Speyer in December 1273 requiring all alienated imperial properties to be restored,<sup>112</sup> and the patriarch, who hoped to reinstate Aquileian authority in all of Carniola with the assistance of the empire, rejected Ottokar's request.<sup>113</sup> But if Ottokar's aspirations were thwarted, so were the patriarch's. At the Diet of Augsburg in May 1275, Ottokar was deprived of the alienated imperial fiefs, among them the duchies of Austria, Styria, Carinthia, as well as Carniola,<sup>114</sup> where Rudolf I (probably in 1276) appointed Count Meinhard IV of Gorizia and Tyrol governor,<sup>115</sup> and, most likely in 1279, pledged Carniola including the margravian respectively princely authority to him.<sup>116</sup> The patriarch demonstratively insisted on his title of *marchio Carniolie*<sup>117</sup> to draw attention to his rights, but the matter was definitely lost to him when Rudolf I granted Austria, Styria, and Carniola as imperial fiefs to his sons in December 1282.<sup>118</sup> The arrival of the Habsburgs in the Austrian

<sup>108</sup> MC 4/1, no. 2761: /.../ *dominus patriarcha pro bono pacis et concordie investivit sepredictum dominum ducem pro se et heredibus suis legitime descenden[tibus ad rect]um et legale feudum de Chrenenburch et tota iurisdic[tione ma]rchie Carniole exceptis iurisdictionibus et dominio ex antiquo infeudatis hoc tamen expresse et expressim dicto, quod ipse dominus dux nullam iurisdictionem habeat super bonis ecclesie Aquilegensis vel super hominibus aut bonis ministerialium [et] hominum ipsius ecclesie nec ius forestarie petatur ab ipsis et exceptis etiam arimannis qui sunt circa Nidech et Lietberch et in partibus illis. Duke Ulric exercises margravian authority: UBK 2, nos. 346, 347 (1265).*

<sup>109</sup> MC 4/2, no. 2988.

<sup>110</sup> He carried the title first on January 29th, 1270 (MC 5, no. 12), and the bishop of Freising acknowledged the title to him only four days later, on February 2nd (MC 5, no. 14).

<sup>111</sup> MC 5, no. 151: *iudicia a Craymperch usque ad Haltenprunnen.*

<sup>112</sup> Regesta Imperii 6/1, no. 48a.

<sup>113</sup> MC 5, no. 151.

<sup>114</sup> Regesta Imperii 6/1, no. 372a.

<sup>115</sup> See Dopsch A. 1899, 26, 29.

<sup>116</sup> See Hauptmann 1929, 427 ff. The counts of Gorizia of the Meinhard line were the mortgage lords of Carniola until they died out in 1335 and Carniola fell under the immediate authority of the Habsburgs.

<sup>117</sup> CDI 2, nos. 378 (1278), 386, 389, 391 (1279).

<sup>118</sup> Ausgewählte Urkunden, no. 67.

Danube basin and the Eastern Alps heralded the beginning of a new chapter in the history of the region.

The Church of Aquileia never formally renounced its authority in Carniola. Until the mid 14th century its patriarchs occasionally carried the title of Margrave of Carniola<sup>119</sup> and Patriarch Pagano della Torre formally granted authority in Istria as well as in Carniola in 1319.<sup>120</sup> But the authority of the deputies<sup>121</sup> he appointed did not extend any further than Aquileia's own possessions and these were rapidly shrinking anyway.<sup>122</sup>

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<sup>119</sup> CDI 3, nos. 564 (1319, Pagano della Torre); 685, 716 (1342, 1347, Bertrand de Saint Geniès); 750 (1356, Nicholas of Luxemburg).

<sup>120</sup> CDI 3, no. 564: *!...! marchionatum Istrie et Carniole ad nos, et ecclesiam nostram predictam spectantem cum omnibus juribus et jurisdictionibus debitis et consuetis, nobili viro dilecto nepoti nostro Francischino de la Turre, de cujus fide et approbata streunitate magnam in Domino fiduciam obtinemus usque ad nostrum beneplacitum duximus concedendum, ipsumque vobis et universis terris, ipsi marchionatui subjectis, in marchionem prefecimus et rectorem.*

<sup>121</sup> Hugo of Duino was such a deputy we know of, *Carniole marchio ac Tergeste capitaneus*; Hauptmann 1929, 426 and note 4.

<sup>122</sup> See Hauptmann 1929, 434 ff.

## CHAPTER FIFTEEN

### THE BEGINNINGS OF LJUBLJANA AND THE BAVARIAN NOBILITY

Austrian and German historians have demonstrated several decades ago that before the end of the first millennium prominent noble families from the lands north of the Alps included in the Ottonian and Salian empire already occupied important positions in the southeastern borderlands of that empire, in Carinthia, Carniola, Istria, and Friuli. The Weimar-Orlamünde family from Saxony, for instance, came to Carniola under the Ottonians, and the Spanheims from the Rhineland to Carinthia under the Salians. The counts of Andechs stand out among the Bavarian families that established themselves in the area under study in a somewhat later period – the 12th and first half of the 13th centuries; for several generations they were the informal rulers of Carniola and margraves of Istria, after which they gave themselves the title of “dukes of Merania” (1180). What is less known is that other Bavarian noble families were intensively engaged in the southeastern parts of the empire and that they acquired important properties there. The beginnings of Ljubljana, once the capital of the Duchy of Carniola and today of the Republic of Slovenia, reveal a surprisingly wide range of Bavarian families of the high nobility holding extensive property and rights.

#### *The First Mention of Ljubljana and the Nomina Defunctorum of the Chapter of Aquileia*

While ancient Emona, the predecessor of Ljubljana, was probably last mentioned as a living name in the Ravenna Cosmography<sup>1</sup> in the 7th century and already in the Slavicised form of *Atamine*,<sup>2</sup> the older

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<sup>1</sup> Ravennatis anonymi Cosmographia et Gvidonis Geographica IV, 20.

<sup>2</sup> See Šašel 1984, 251 ff.; Šašel 1992, 825. The memory of Emona later survived only in narrow learned or educated circles and it was mentioned exclusively in the context of Antiquity: its last mention as an ancient bishop's see is in the acts of the synod of Mantua from 827, which contain the protocol of the synod of Grado from 572–577 (Concilium Mantuanum a. 827); it is mentioned as a town in Carnia in the legend of

generations of historians from Wolfgang Lazius, Johann Ludwig Schönleben, and Johann Weichrad Valvasor to Franz Richter, August Dimitz, Janez Trdina, and even Ernst Klebel before the Second World War, maintained that medieval Ljubljana (German: *Laibach*) was first mentioned in the first half of the 10th century.<sup>3</sup> Accounts in several Hungarian historiographical works from the late 13th and the 14th centuries indeed refer to a battle that presumably took place near Ljubljana (*ultra castrum Leopah*), and in which the Hungarians defeated an army led by the duke of Merania, Gotfrid, the (Carinthian) duke Eberhard, and Gregory, the patriarch of Aquileia.<sup>4</sup> Franc Kos rightly dismissed these accounts in 1901 when calling them “gross fantasies,”<sup>5</sup> while Vasilij Melik disproved them once and for all in 1953.<sup>6</sup>

From that point onwards, the common opinion was that Ljubljana was first mentioned in medieval sources in 1144. In the *liber traditionum* (book of donations) of the monastery of the Augustinian Canons of Reichersberg on the river Inn, dating from before the end of the 12th century,<sup>7</sup> an undated entry on the front page of the ninth folio refers to the donation to the monastery of a property located between Preinsbach and Dachseck in present-day Lower Austria, that was made by Amilbert from Kollnitz near St Paul in Carinthia.<sup>8</sup> Among those witnessing this deed, which Milko Kos reasonably dates to between May and October of 1144,<sup>9</sup> there is “Ulric of Ljubljana, the duke’s brother,” *Ōdalricus de Laibach, frater ducis*. The identity of this Ulric, whose name has been associated with the first mention of Ljubljana in the past, has been known long since and is undisputed: he was a member of the Carinthian ducal family of the Spanheims and the brother of the Carinthian duke Henry V (1144–1161).<sup>10</sup> The same

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the martyrdom of St Pelagius of Emona at the time of Emperor Numerianus, first recorded in Notker’s martyrology from around 896 (see Bratož 1986a, 167 ff.; Bratož 1999a, 220 ff.); and the Byzantine Church historian Nicephoros Callistos, quoting Sozomenos (5th c.) in the 14th century, writes that Emona was founded by the Argonauts (Bratož 1997, 248).

<sup>3</sup> For details, see Kos F. 1982, 259 ff.; Melik 1952–1953, 202.

<sup>4</sup> See Melik 1952–1953, 203–205.

<sup>5</sup> Kos F. 1982, 259 ff.; Gradivo 2, no. 343.

<sup>6</sup> Melik 1952–1953.

<sup>7</sup> Fichtenau 1938, 27 ff.; Fichtenau 1971, 229 ff.

<sup>8</sup> UBK 1, no. 95; SUB 2, no. 238; Gradivo 4, no. 201. See Kos M. 1944–1945, 85 ff.; Kos D. 1994, 17 ff. (with a photograph of the *notitia traditionis* on p. 19).

<sup>9</sup> Kos M. 1944–1945, 86.

<sup>10</sup> Kos M. 1944–1945, 85; Hausmann 1994, 17 (V 1, V 2); Dopsch 1991, genealogical table on p. 60; Dopsch 1999, genealogical table on p. 311; Štih 2003, genealogical table on p. 73.

*notitia traditionis* (donation record) mentions another member of the Spanheim family, *marchio Engilbertus*, in first place, and this must be Engelbert III, an uncle of the “Ljubljana” Ulric and the margrave of Istria (1124–1173) and Tuscany (1135–1137).<sup>11</sup>

Only two years after this *notitia*, a charter was written in Aquileia, Friuli, that is the first to inform us on the Romance or Slovene form of the name of Ljubljana: *Luwigana*. With this charter, preserved as an original and published in facsimile<sup>12</sup> and issued in Aquileia, Count Bernhard of Spanheim and his wife Kunigunde ceded Artegna Castle, south of Gemona del Friuli, to Patriarch Pelegrin I and the Church of Aquileia in exchange for 30 marks (of silver) and the lifelong tithe revenues from three parishes in Slovene Styria.<sup>13</sup> The last witness was *Wodolricus de Luwigana*, who was obviously of low social status and certainly not identical with the above-mentioned Ulric of Spanheim. We should probably think of him as a ministerial of the Spanheims in Ljubljana.<sup>14</sup>

In the meantime, evidence has been found that these two references are not the first mentions of medieval Ljubljana as has been thought in the past. The *Nomina defunctorum* of the chapter of Aquileia do indeed contain the information that its advocate Rudolf died on November 25th, and that he had gifted to the canons 20 *mansi* near Ljubljana Castle (*VII Kal. Decembris, Rodulfus advocatus obiit, qui XX mansos iuxta castrum Leibach canonicis dedit*);<sup>15</sup> as will be shown below, this mention is around twenty to thirty years older than the other two. In my opinion, there is another reference to the earliest history of medieval Ljubljana in a record in the necrology of the Church of Aquileia: under April 10th we read of the death of a certain Hartwig, who had given to the canons three *mansi* in Ljubljana (*Arthuicus de \*\*\* obiit, <qui dedit fratribus> III mansos in Laybach*).<sup>16</sup>

Let us begin by examining the first record of donation: it was previously unknown to Slovene historians, despite being published by Pier

<sup>11</sup> Hausmann 1994, 15 (IV 1), Štih 2003, 73. Kos D. 1994, 18, erroneously equates this Engelbert with Engelbert II, the margrave of Istria (1107–1124) and duke of Carinthia (1124–1134), who died earlier, in 1141, and also errs in claiming that he was the brother of Ulric of Ljubljana.

<sup>12</sup> Kept in the archive of the monastery of St Paul in Carinthia. Facsimile: Žnideršič 1994.

<sup>13</sup> MC 3, no. 806; Kos D. 1994, 42 ff. (with a Slovene translation).

<sup>14</sup> Kos M. 1944–1945, 86 ff.; Kos D. 1994, 24 ff.

<sup>15</sup> *Nomina defunctorum*, 397.

<sup>16</sup> *Necrologium Aquileiense*, 188.

Silverio Leicht in 1903 after a not quite accurate copy from the 18th century,<sup>17</sup> and by Cesare Scalon after the original in 1982.<sup>18</sup> The *Nomina defunctorum*, in which this record appears, is a mixture of necrology and *liber traditionum* from the wider Bavarian area.<sup>19</sup> As mentioned in the introductory paragraph to this list, whose original is kept in the Chapter Archive of Udine,<sup>20</sup> the canons of the chapter of Aquileia listed the names of deceased benefactors, who had donated property to the chapter, for the sake of liturgical commemoration (*memoria*). These quite succinct and formalised entries contain only the day of death, the name of the benefactor, and a brief designation of the donated property.<sup>21</sup> Unlike the entries in necrologies, those in the *Nomina defunctorum* are not in calendar order. The list is written in three columns on the front page of a large sheet of parchment (60 × 48 cm) and contains a total of 135 lines in six different handwritings from the 12th century. However, the first 96 lines are in the same handwriting, and this means that the bulk of the list was written in one go.<sup>22</sup>

According to Cesare Scalon's research, this basic and principal part of the list refers to the advocate Rudolf and may be dated between 1161 and 1169.<sup>23</sup> Reinhard Härtel's subsequent studies revealed that the first compiler of the *Nomina defunctorum* was the canon of the cathedral chapter of Aquileia, Romulus, who was the notary chaplain of three patriarchs of Aquileia before he was made bishop of Concordia in 1187 or 1188.<sup>24</sup> Romulus, who was the principal notary from 1158 to 1174 and who composed practically all the charters issued by the patriarchs of Aquileia in this period, probably compiled the list of deceased

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<sup>17</sup> Elenco di tradizioni al capitolo d'Aquileja, 66: *Septimo kalendis decembris Rodulphus Advocatus obiit qui xx mansos juxta Castrum Leibac Canonicis dedit*. Gradivo 3, LXXI and no. 381 suggest that Kos F. was aware of Leicht's publication; surprisingly, he did not include the entry on Ljubljana in his collection of sources on medieval Slovene history.

<sup>18</sup> See note 15.

<sup>19</sup> Härtel 2002, 31.

<sup>20</sup> Archivio capitolare Udine, Pergamene, IV, 66.

<sup>21</sup> *Nomina defunctorum*, 396: *In nomine sancte et individue Trinitatis. Si quid memoria dignum sit, utile videtur ut scriptis commendetur. Eapropter cunctis christifidelibus tam futuris quam presentibus, notum esse volumus quod in presenti pagina omnium fidelium nomina defunctorum et obitus eorum dies, qui sua bona pro salute animarum suarum canonicis sancte Aquilegensis ecclesie, que etiam bona et in quibus locis donaverint breviter intitularimus.*

<sup>22</sup> *Nomina defunctorum*, 395.

<sup>23</sup> *Nomina defunctorum*, 395.

<sup>24</sup> Härtel 1987, 47 ff.; Härtel 1994, 13 ff.; Härtel 1999, 248 ff.

benefactors of the chapter of Aquileia around 1162.<sup>25</sup> He must have been quite familiar with the conditions in the territory of present-day Slovenia as he travelled there on several occasions, accompanying the patriarch, and as a notary he wrote several charters of the patriarch while in Slovene territory. We first come across his name in Carniola in 1163, when he composed a charter of Patriarch Ulric II, granting parish rights in Škrljevo (Lower Carniola) to the chapel of St Margaret in Velesovo.<sup>26</sup> In 1169 he travelled to Villach, Carinthia, by way of Radovljica in Carniola;<sup>27</sup> in 1173 he wrote a charter of Patriarch Ulric II for the Carthusian abbey of Žiče in Rečica near Gornji Grad (Styria),<sup>28</sup> and the next year a charter of the same patriarch, who arbitrated in a dispute concerning the church of St Pancras in Slovenj Gradec between the abbot of the monastery of Beligna and the archdeacon of Savinja.<sup>29</sup> Romulus was in Slovene territory for the last time in 1177 when he wrote *in Carniola* a charter for the Cistercian monastery in Stična.<sup>30</sup>

The entries in the *Nomina defunctorum* scrupulously list the donations of the chapter's individual benefactors, recording every single farm. Data of this kind had to be based on sources in the form of charters, *notitae traditionum*, *breves recordationes*, and the like, which Romulus could easily find in the archive of the chapter, (of which he was a member) when compiling the list of benefactors.<sup>31</sup> The data in the list can therefore be considered credible and the same is true of the entry on Rudolf and his gift.

Rudolf is referred to in the entry as *advocatus*. In the list, which tries to follow a certain order by first listing patriarchs, followed by advocates, and only then all other persons, three other persons hold the same title: Duke Henry, who renounced his rights of advocate to the benefit of the chapter,<sup>32</sup> the advocate Conrad, who gifted the canons two *mansi* in Nimis, Friuli,<sup>33</sup> (followed by Rudolf),<sup>34</sup> and a certain

<sup>25</sup> Härtel 1987, 53 ff.

<sup>26</sup> UBK 1, no. 128; Gradivo 4, no. 462.

<sup>27</sup> MC 1, no. 258; Gradivo 4, no. 501.

<sup>28</sup> UBSt 1, no. 551; Gradivo 4, no. 540.

<sup>29</sup> UBSt 1, no. 554; Gradivo 4, no. 544.

<sup>30</sup> UBK 1, no. 173a; Gradivo 4, no. 583.

<sup>31</sup> Härtel 1987, 54.

<sup>32</sup> *Nomina defunctorum*, 396: *II Non. Decembris, Heinricus dux et advocatus obiit, qui placitum advocatie et quidquid spectat ad ius advocatie in omnibus bonis canonicorum Aquilegensis ecclesie eisdem canonicis dedit.*

<sup>33</sup> *Nomina defunctorum*, 396: *Nono Kal. Martii, Conradus advocatus obiit, qui III mansos in Nimes dedit.*

<sup>34</sup> See note 15.

Herman of Manzano,<sup>35</sup> whose name interrupts the list of advocates; after his name the list of advocates ends with Marquard, who donated four *mansi* in Fagagna, Friuli.<sup>36</sup> It is not hard to identify the listed advocates. Henry, the first mentioned advocate, who was also the duke of Carinthia, is the last of the Eppensteins, Henry (III), who is attested as the advocate of the Church of Aquileia in the last decade of the 11th century.<sup>37</sup> He renounced his position of advocate around 1100 and it was passed on, but with considerably limited rights, to Burchard of Moosburg, Bavaria.<sup>38</sup> Probably at the same time, Henry III renounced the jurisdiction he had as the chapter's advocate to the canons of Aquileia; this event is attested, in addition to the *Nomina defunctorum*, by an epigraphic inscription on the refashioned Roman tombstone that once stood in front of the main portal of Aquileia's cathedral.<sup>39</sup> The next advocate mentioned in the *Nomina defunctorum* is Conrad, the son of Count Udalschalk from Lurngau, Carinthia, who succeeded his father-in-law, Burchard of Moosburg, as the advocate of the Church of Aquileia by 1102 at the latest, and who died no later than early months of 1112.<sup>40</sup> The last advocate in the list is *Marquardus advocatus* or Marquard IV of Eppenstein, the son of the deposed duke of Carinthia, Adalbero of Eppenstein, and father of the above-mentioned Henry III of Eppenstein. He is attested as the advocate of the Church of Aquileia in the decade from 1064 to 1074.<sup>41</sup>

The *Nomina defunctorum* thus list as *advocati* the benefactors who were the advocates of the Patriarchate of Aquileia and Rudolf was one of them. The question that arises and that is of crucial significance for dating the first mention of Ljubljana is when exactly Rudolf was the advocate of the Church of Aquileia. The *terminus ante quem* certainly is 1125, when Meinhard I from the family of the counts of Gorizia is for

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<sup>35</sup> *Nomina defunctorum*, 397: *II Id. Augusti, Hermannus de Manzano obiit, qui VI mansos in villa S. Petri dedit.*

<sup>36</sup> *Nomina defunctorum*, 397: *XII Kal. Ianuarii, Marquardus advocatus obiit, qui IIII mansos in Faganea canonicis dedit.*

<sup>37</sup> Hausmann 1984, 553 ff.; Dopsch 1999a, 20 ff.; Härtel 2002, 29.

<sup>38</sup> The charter is undated and different dates are attributed to it in the publications: MC 3, no. 532 (1106); Gradivo 3, no. 393 (1090); RG 1, no. 162 (1101–1102); Die Herrschaft der Eppensteiner in Kärnten, 55 and no. 74 (1093?); *Diplomi patriarcali*, no. 3 (1093?).

<sup>39</sup> MC 3, no. 533; RG 1, no. 163; Cuscito 1991, 169 ff.; Cuscito 1992, 168 ff. See also Sgubin 1963, 99; Hausmann 1984, 553 ff.

<sup>40</sup> Hausmann 1984, 555; Dopsch 1999a, 21; Härtel 2002, 29.

<sup>41</sup> Hausmann 1984, 551 ff.; Dopsch 1999a, 20; Härtel 2002, 29.



the first time mentioned as the advocate of Aquileia;<sup>42</sup> the office then remained hereditary in the family. At the other end, the extreme *terminus post quem* is held to be 1031, when Patriarch Poppo founded the chapter of his cathedral, because gifts to this institution can only have been made after this year.<sup>43</sup> However, the period when Rudolf was the advocate of Aquileia can be narrowed down further by the references to other advocates of Aquileia. At the time of the chapter's foundation, the advocate was a certain Walpert, who is mentioned in this position in 1027, 1031, and 1036.<sup>44</sup> The last year excludes the possibility that the earlier deposed duke of Carinthia, Adalbero, was the first Eppenstein to be the advocate of Aquileia. That honour fell to his son Marquard IV, who is attested as the advocate of Aquileia in 1064, 1067, and 1074.<sup>45</sup> When exactly he became its advocate and whether he immediately followed Walpert is not known. Marquard was succeeded in the function by one of his sons, either by Liutold,<sup>46</sup> appointed Duke of Carinthia by King Henry IV in 1077, or – and this is more likely – his brother Henry III, who was the margrave of Istria (and Carniola) at the time, and who succeeded Liutold as Duke of Carinthia in 1090/93.<sup>47</sup> Marquard's third son, Ulric, became the patriarch of Aquileia in 1086 and it was to him that his brother Henry III, Duke of Carinthia, ceded Egg at Faaker See, Carinthia, *pro advocacia*.<sup>48</sup> It is not known – but it must have been after 1090/93 and before 1102 – when Henry renounced the advocacy that was passed on, with considerably limited rights, to Burchard of Moosburg, who was succeeded in the function by his son-in-law Conrad at the latest in 1102; Conrad died before January 11th, 1112, and the next mention of an advocate of Aquileia, referring to Meinhard from the house of the Counts of Gorizia, dates from 1125.<sup>49</sup>

Rudolf may thus have been the advocate either after Walpert and before Marquard of Eppenstein, as there is a considerable gap (1036–1064) between the last mention of the former and the first mention of

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<sup>42</sup> CDI 1, no. 128; Gradivo 4, no. 87. For the dating of this charter, see Štih 1996, 11 and note 11.

<sup>43</sup> CDI 1, no. 92; Diplomi pariarcali, no. 1; Gradivo 3, no. 86. On this charter, see Härtel 1984, 142 ff.; Härtel 1987a, 43 ff.; Piatto 1997, 65 ff.; Moro 1997, 67 ff.

<sup>44</sup> Härtel 2002, 28.

<sup>45</sup> Hausmann 1984, 551 ff.; Härtel 2002, 29.

<sup>46</sup> As in Tyroller 1962, 113, no. 17, but unsubstantiated by sources. See Die Herrschaft der Eppensteiner in Kärnten, 44 ff.

<sup>47</sup> See Die Herrschaft der Eppensteiner in Kärnten, 50 ff.; Štih 2000b, 371 ff.

<sup>48</sup> Die älteren Urkunden des Klosters Moggio, no. 2.

<sup>49</sup> See notes 37–40, 42.

the latter, or after Conrad of Lurngau and before Meinhard I of Gorizia in the period between 1112 and 1125. An indication that Rudolf lived in the 12th and not in the 11th century is the order of entries in the *Nomina defunctorum*. Reinhard Härtel pointed out that its compiler Romulus tried to arrange the patriarchs and advocates mentioned at the beginning of the list in chronological order.<sup>50</sup> He starts the list of patriarchs with Poppo (1019–1042) and continues with Sigehard (1068–1077) and Frederick (1084–1086). This order is then interrupted by Count Herman of Eppenstein, who in 1064 donated to the canons the village of Skrilje in the Vipava Valley to the canons in 1064.<sup>51</sup> A reasonable explanation for this at first sight surprising entry may be that Patriarch Frederick, who precedes Herman in the list, donated to the canons the tithes of that same village, and that Romulus mentions Herman's gift in this place because it is associated, in the words of the entry, with "the aforementioned village" of Skrilje. The list of patriarchs then continues with Ulric I (1086–1121) and ends much further below, towards the end, with Patriarch Pelegrin I (1131–1161). The unusual place of this last entry may be associated with the fact that Patriarch Pelegrin died (d. August 8th, 1161) during the compilation of the *Nomina defunctorum*, at a time when Romulus had already composed most of the list, and that he therefore added the entry on Pelegrin in the first empty place. The patriarchs are followed by the advocates, and here too Romulus appears to have wanted to put them in chronological order, but he was less consistent than with the patriarchs. The first two advocates, mentioned in the correct chronological order, are Duke Henry III and Conrad. They are followed by Rudolf and as he is mentioned after Conrad, this would suggest that he was the advocate of Aquileia in the period between 1112 and 1125. This chronology however turns questionable with the entry on Marquard IV of Eppenstein, because he concludes the list of advocates after Herman of Manzano, who was not an advocate; in the correct chronological order Marquard

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<sup>50</sup> Härtel 2002, 32.

<sup>51</sup> *Nomina defunctorum*, 396: *V Id. Maii, Hermannus comes obiit, qui predictam vil- lam Scrilach cum omnibus suis pertinentiis fratribus dedit*. Concerning the identity of Herman of Eppenstein, see Gänser 1994, 100; Meyer, Karpf 2000, 31 and note 186; Dopsch, Meyer 2002, 304 ff. Herman must have donated Skrilje to the chapter before his death (d. May 11), because the deal was finished by his widow Hedwig on May 14th, 1064, in Aquileia; she later married Engelbert I of Spanheim and was the ancestral mother of all the Carinthian Spanheims. See Meyer, Karpf 2000, 347 ff.; Štih 2003, p. 60. The charter by which she granted Skrilje after Herman's death is published in Härtel 2002, 64 ff.

should have been mentioned at the beginning of the list. An explanation for this inconsistency may be that Romulus initially forgot about Marquard in the list of advocates, and that he added him on the first possible occasion when he realised his error.<sup>52</sup>

These conclusions about the dating of Rudolf's advocacy, based on the reference to him in the *Nomina defunctorum*, seem to be corroborated by a charter dated April 7th, 1126, and issued somewhere on the Soča (Isonzo) River (*actum Ysonzo*) in Friuli. A certain Rudolf from "the place of Tarcento" (*Rūdolfus de loco Tercento*), who lived under Roman law, gifted to the provostship of St Peter in Berchtesgaden, west of Salzburg, a rich property he owned in Carnia and Friuli.<sup>53</sup> In an abbreviated and stylised form, this deed of gift is documented by an undated *notitia traditionis* that is obviously based on a charter in the form of a *Carta* (in the *liber traditionum* itself it is referred to as a *kartula*); both the charter and the *notitia* have been preserved in the *liber traditionum* of the provostship of Berchtesgaden that was started in the second half of the 12th century.<sup>54</sup> The event on the Soča (Isonzo) was witnessed by a group of prominent representatives of the high nobility, who personally added their signatures (*signum manum*) to the charter and whose presence shows that Rudolf of Tarcento (north of Udine, Friuli) must have belonged to the same social group of high reputation and authority. The first witness listed among the prominent people who came to the Soča (Isonzo) in 1126 is Count Bernhard of Spanheim (d. 1147), who at the time was the leading member of the Spanheim family,<sup>55</sup> and in whose charter from 1146 the above-mentioned

<sup>52</sup> According to Härtel 2002, 32.

<sup>53</sup> Schenkungsbuch Berchtesgaden, no. 214: *Anno dominice incarnationis M.C.XXVI septimo die mensi aprilis, indictione IIII/.../Ego Rūdolfus in dei nomine de loco Tercento professus ex natione mea lege uiuere romana propter amorem anime mee et mercedem, dono ad casam dei sancti Petri Berthersgadem ex cunctis casis et omnibus rebus iuris mei, quas habere et detinere uisus sum in uilla Carnia, antepono, quod datum habeo per anteriores kartulas ad meam familiam in primo loco in Terzo et in Uersegez, seu Cosellano et in ceteris locis et dono a Cosellano siluam, quam semper habebant pater meus et germani mei cum omni iure ad ipsos pertinentem/.../Signum manum Bernhardus comes, Engelbertus dux et duo filii eius Engelbertus et Udalricus, Megenhardus comes, Pilgrimus de Butsul, Amelricus de Busco, Otto nepos predicti Rūdolphi, Poppo comes de Glōdnice, Offo de Choëtse, Lōdewicus de Lafrian, Hartwicus et Chōno de Cafriaco, Diepolt filius Albrici de Uendō, rogati testes. Actum Ysonzo feliciter.* For the location of the property granted by the charter, see Dopsch 1991a, 335 and note 332.

<sup>54</sup> Schenkungsbuch Berchtesgaden, no. 213; on the establishment of the *Liber traditionum*, see *ibidem*, 227.

<sup>55</sup> Bernard's leading role within the family is indicated by two facts: he is listed before his older brother Engelbert II in the charter of Rudolf of Tarcento and, more

Spanheim ministerial Ulric of Ljubljana is mentioned at the beginning. Bernhard was escorted by his older brother, the duke of Carinthia (1124–1134) Engelbert II (d. 1141), who was in the company of his two sons: the margrave of Istria, Engelbert III (1124–1173), mentioned among others in the record of donation from 1144 that refers to his nephew Ulric as “of Ljubljana,” and Ulric I (d. 1144), who succeeded his father as duke of Carinthia in 1134 and who was the father of “Ulric of Ljubljana.”<sup>56</sup> The next witness in the list is Count Meinhard I of Gorizia (d. ar. 1142), who must have become the advocate of Aquileia shortly before<sup>57</sup> and whose mother Diemut was the sister of Bernhard and Engelbert II of Spanheim.<sup>58</sup> He is followed by Pilgrim from Pozzuolo in Friuli (d. after 1144) from the comital family of the Heunburgs (present-day Haimburg near Völkermarkt in Carinthia), whose other name was derived from the Hohenwart castle north of Villach, Carinthia. He was the cupbearer of the patriarch of Aquileia and his brother Poppo is attested as Count in Kranj (*comes de Creine*) in 1141, while his son Günther carried the title of Margrave of Savinja and owned Celje, the central settlement in the Savinja Valley.<sup>59</sup> Of the remaining eight witnesses to the charter, mostly called after castles in Friuli, the title of count was also held by Poppo of Glödnitz, who was usually called Count of Zeltschach, a castle in the vicinity of Friesach (Carinthia), which had once belonged to the husband of St Hemma of Gurk.<sup>60</sup>

Rudolf, the advocate of Aquileia, and Rudolf of Tarcento share the same name; the high positions of the two are attested by the office of advocate of Aquileia, held exclusively by members of the high nobility, for the first Rudolf, and, for the second Rudolf, by his generous gift to Berchtesgaden and the range of prominent witnesses to it; furthermore, both were connected with the Spanheims, as is indicated in the case of

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importantly, some time after 1106 he became the advocate of the family's monastery of St Paul, in spite of the provision of the papal privilege from 1099 that the position belonged to the firstborn son of the monastery's founder Engelbert I (thus to Engelbert II) and his descendants (MC 3, no. 508). See Štih 2003, 64.

<sup>56</sup> On Engelbert II and the two sons, see Dopsch 1991, 59 ff.; Hausmann 1994, 13, 15 ff.; Štih 2003, 66 ff.

<sup>57</sup> It is not clear how the advocacy was passed on to him; cf. Dopsch 1999a, 20 ff.; Härtel 2002, 30 ff. In view of the fact that the old advocate of Aquileia was still alive when Meinhard I of Gorizia appeared as its new advocate, we must assume that Rudolf renounced the advocacy. This was not unusual and the same indeed occurred when the advocacy passed from Henry III to Burchard of Moosburg.

<sup>58</sup> Meyer, Karpf 2000, 43 ff.; Dopsch, Meyer 2002, 323.

<sup>59</sup> See Dopsch 1970, 313, 329; Pirchegger 1951a, 158 ff.

<sup>60</sup> Pirchegger 1951a, 133.

the first Rudolf by the gift of twenty *mansi* near Ljubljana castle, and in the case of the second Rudolf by the presence of leading members of the Spanheim family on the Soča (Isonzo); and, finally, the chronology in the *Nomina defunctorum* indicates that Rudolf was the advocate of Aquileia in the second and third decades of the 12th century. All these circumstances strongly suggest that the advocate of Aquileia and Rudolf of Tarcento were one and the same person,<sup>61</sup> and that the record of the donation of twenty *mansi* near Ljubljana Castle should be dated between 1112 and 1125. A further clue for identifying the two as one person and for dating Rudolf's mandate as advocate to the second and third decades of the 12th century is a *notitia traditionis* from the monastery of Reichenbach: it records a donation by Richza (d. 27. 2., before 1124), the daughter of the Bohemian duke Bořivoj II, who is also mentioned as *Rudolfus de Craine* among the witnesses,<sup>62</sup> and whom we can probably identify as the mentioned landowner in Ljubljana because of his Carniolan "surname."

That *castrum Leibach* refers to Ljubljana Castle, making the entry the oldest mention of Ljubljana, seems beyond dispute. The identification is supported by the form of the written name, known in numerous charters as the German name of Ljubljana (*Laibach* as early as 1144),<sup>63</sup> as well as by the fact that there is no other castle in the wider area of the Alps and Northern Adriatic with a similar name.<sup>64</sup> Two similar toponyms are known from Friuli, but these are fallow names and first mentioned in the late 13th century:<sup>65</sup> Laibacco near or in Colloredo di Monte Albano, northwest of Udine (first mention in 1294: *de tribus campis in Laybacho*)<sup>66</sup> and Laipacco near or in Udine (first mentioned in 1280: *pratium/.../quod appellatur Laypa*; 1297: *unum sectorem ad pratium in Laypacho*).<sup>67</sup>

<sup>61</sup> According to *Nomina defunctorum*, 397 and note 9bis; Härtel 2002, 32; Dopsch, Meyer 2002, 335 ff. Trotter 1931–1934, 296, disagrees and identifies him as Rudolf of Glödnitz.

<sup>62</sup> UBK 1, no. 165.

<sup>63</sup> See note 8 and for the oldest mentions, for instance, UBK 2, register, s. v.; Gradivo 4, 5, register, s. v.; Gradivo za zgodovino Ljubljane 1 ff.

<sup>64</sup> UBSt 1, register, s. v.; SUB 2, register, s. v.; Gradivo 4, 5, register, s. v.; MC 4/2, register, s. v.; Miotti, Castelli del Friuli, Vol. 1–7 (s. a.); Frau, Castelli e toponimi (s. a.) 67.

<sup>65</sup> Frau, Repertorio toponomastico, 1068.

<sup>66</sup> TEA, no. 762.

<sup>67</sup> TEA, no. 747; Frau, Repertorio toponomastico, p. 1068.

*Rudolf of Tarcento and his Circle of Relatives*

The question then is how Rudolf came to own property at Ljubljana Castle. The available sources provide no clear answer to this question. But his identification with Rudolf of Tarcento makes it possible to find out more about his family background, relatives, and other connections, and this is one way of coming closer to an answer. Our starting point is the provostship of Berchtesgaden, to which Rudolf of Tarcento granted rich possessions in Friuli and Carnia. In papal charters, issued from 1142 onwards and starting with Innocentius II, which confirm to the provostship its property, Rudolf is mentioned among its great benefactors under another name: Rudolf of Lungau, from the province at the upper Mura below the Radstädter Tauern.<sup>68</sup> Another benefactor of Berchtesgaden was the noble Adelaide of Machland, who gifted to the provostship a property in Diemlern near Irdingen in the upper valley of the Enns in an undated *notitia traditionis*.<sup>69</sup> The genealogy of the family of the *Freiherren* of Machland (-Perg) in Upper Austria<sup>70</sup> is poorly known and the literature is therefore full of contradicting claims.<sup>71</sup> The family is practically unknown in Slovenia as well, although its connections with the Slovene territory in the High Middle Ages were stronger than we may think.<sup>72</sup> What is known is that it had property in Friuli<sup>73</sup> as well as Lungau.<sup>74</sup> Its possessions in Friuli included among others Tarcento, after which Rudolf titled himself in 1126, and which Otto of Machland and his brother Walchun divided between themselves in 1140.<sup>75</sup> Otto of Machland used his half of the village of Tarcento in 1147 as his endowment to the

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<sup>68</sup> Dopsch 1991a, 336.

<sup>69</sup> Schenkungsbuch Berchtesgaden, no. 18 (*Adelhet de Machlant*). Dopsch 1991a, 336 dates the record to around 1130.

<sup>70</sup> Dopsch, Brunner, Weltin 1999, 225.

<sup>71</sup> On the lords of Machland, see Meiler 1866, 466 ff.; Strnad 1907, 139 ff.; Handel-Mazzetti 1912, 125 ff.; Handel-Mazzetti 1913, 50 ff.; Lechner 1924, 109 ff.; Lechner 1953–1954, 9 ff.; Dienst 1966, 80 ff.; Klebel 1969, 149 ff.

<sup>72</sup> Trotter 1931–1934, 407 ff., considered the *Freiherren* of Puchs, better known in Slovenia as the counts of Weichselburg (Višnja Gora), to be close relatives of the lords of Machland. Pirchegger 1951, 5 ff. thought the same of the lords of Pettau (Ptuj), who also owned property in Lungau: *nobilis femina* Benedicta, the wife of Fredrick I or II of Pettau (d. 1167), “probably belonged to the lords of Machland.”

<sup>73</sup> Dopsch 1991a, 336 and note 339.

<sup>74</sup> Pirchegger 1951a, 89; Klebel 1969, 149 ff.

<sup>75</sup> Miotti, Castelli 2, 329.

monastery of Waldhausen in Upper Austria which he founded in the same year.<sup>76</sup> In 1160, his brother Walchun is designated in a charter of the bishop of Gurk, Roman I, as the *dominus* of a certain Erpan, whose father Grimon was called after Tarcento (*Grimonus de Trecentis*).<sup>77</sup> We again come across Grimon, who was obviously the Machland ministerial in Tarcento, under the name of Grimold as a benefactor of the provostship of Berchtesgaden, and the property he gifted was located in the same place as the property Adelaide of Machland gifted to the same provostship.<sup>78</sup>

These data on gifts to Berchtesgaden and on the ownership history of Tarcento quite clearly indicate that Rudolf of Tarcento was related to the family of the *Freiherren* of Machland; what the nature of this relationship was seems to be indicated by Rudolf's donation to Berchtesgaden from 1126. In the charter issued on this occasion somewhere on the Soča (Isonzo), one of the witnesses (some of them have been mentioned above) is Rudolf's "nephew," Otto (*Otto nepos<sup>79</sup> predicti Rūdolphi*), to whom a *notitia traditionis*, written and stylised in the vein of this charter, refers to as a cognate relative (*Otto cognatus prefati Rōdolphi*).<sup>80</sup> Rudolf's relative is ranked very high in both records, before Count Poppo of Glödnitz, and Andreas Meiller, who was the first to attempt a genealogy of the lords of Machland in his *Regesten zur Geschichte der Salzburger Erzbischöfe* from 1866 identified him already as Otto of Machland,<sup>81</sup> who beside the monastery of Waldhausen also founded the monasteries of Baumgartenberg and Erla in Austria.

We can therefore assume with high probability that Rudolf of Tarcento was related to the lords of Machland or, in other words, that

<sup>76</sup> UBLOE 2, no. 155 (*et in foro julii mediam partem uille, que Tritshent uocatur*); Trotter 1931–1934, 295; Miotti, Castelli 2, 329; Dopsch 1991a, 336.

<sup>77</sup> MC 1, no. 214. Otto of Machland was also the founder of the convent of Erla in Lower Austria (see Lechner 1953–1954, 1 ff.) and among the possessions he donated to the local Benedictine nuns the last one listed is *Dtristnichench* (UBLOE 2, no. 171; last published in *Die Erlaklosterurkunden*, 64 ff.), identified by some historians as Tarcento in Friuli (Handel-Mazzetti 1913, 55; Trotter 1931–1934, 295).

<sup>78</sup> Schenkungsbuch Berchtesgaden, no. 118; UBS1, no. 104 (see above note 69). Trotter 1931–1934, 296; Pirchegger 1951a, 83.

<sup>79</sup> The expression *nepos* had several meanings. It usually meant nephew, but could also mean cousin and often referred to some other close or distant blood relative – indeed the same meanings as the expression *consanguineus* had, as well as the later German words *vetter* and *oheim*. See Preinfalk 2001, 359 ff.

<sup>80</sup> Schenkungsbuch Berchtesgaden, nos. 213, 214.

<sup>81</sup> Meiler 1866, 468; Dopsch 1991a, 336.

he belonged to this free, high noble family of Bavarian extraction.<sup>82</sup> At first sight, this seems to be contradicted by Rudolf's own statement that he lived under Roman law (*professus ex natione mea lege uiuere romana*),<sup>83</sup> but this may be explained in assuming that he had moved the focus of his life to Friuli in "Roman" Italy due to marriage, for the sake of his career, or for some other reason.<sup>84</sup> Rudolf's *professio legis* (*iuris*) should thus be understood in the sense that he had adopted the law he lived under, not that it was the law he was born into.<sup>85</sup>

The genealogy of the lords of Machland is better known and less disputed where it concerns the generation of Walchun and Otto. Attested on several occasions as brothers,<sup>86</sup> they belonged to the family's last generation: Otto died on Christmas Day in 1149 and Walchun, the last male Machland, is last mentioned, in 1160, in the above-mentioned charter of Roman I, the bishop of Gurk.<sup>87</sup> He left behind a daughter, Adelaide, who is probably identical with *nobilis mulier nomine Adelheit de Machlant* from the aforementioned undated *notitia traditionis* from Berchtesgaden,<sup>88</sup> though some historians think that she may have been Walchun's sister or wife.<sup>89</sup> Her marriage to Count Herman of Velburg from Nordgau, Bavaria,<sup>90</sup> transferred the Machland heritage, or what was left of it, to a family whose ancestor was the Swabian Duke Herman IV (d. 1038).<sup>91</sup>

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<sup>82</sup> On indications of the family's Bavarian extraction, see Handel-Mazzetti 1913, 52 ff.

<sup>83</sup> Schenkungsbuch Berchtesgaden, no. 214.

<sup>84</sup> Similarly Poppo (d. 1042), the patriarch of Aquileia, declared in a charter from 1036, issued for the Benedictine convent of the Virgin Mary in Aquileia, that he lived under Roman law (Die älteren Urkunden des Klosters S. Maria zu Aquileia, no. 1: *qui professus sum lege Romana vivere*). He thus affiliated himself with Roman law, even though he was from the Bavarian family of the Ottokars of Steyer: Dopsch 1997, 16 ff.; Dopsch 2000, 290 ff. and the genealogical table on p. 308.

<sup>85</sup> As in Trotter 1931–1934, 296. For the period under study, a good example of a person adopting the law of the land is from Friuli: the spouses Egino and Ilmingarda sold to the advocate of Aquileia, Conrad of Lurngau, and his wife Mathilde, property in Friuli, Istria, and Carniola, in Cividale in 1102, and Ilmingarda declared that *natione mea lege vivere langobardorum sed nunc pro viro meo lege vivere romana* (CDI 1, no. 118; UBK 1, no. 66).

<sup>86</sup> E.g.: Schenkungsbuch Berchtesgaden, nos. 80, 101; UBSt 1, no. 178.

<sup>87</sup> See note 76 and Handel-Mazzetti 1913, 58, 60.

<sup>88</sup> See note 68 and Handel-Mazzetti 1913, 57.

<sup>89</sup> Meiler 1866, 466 (Walchun's sister or daughter); Strnad 1907, 140 (Walchun's wife); Dopsch 1991a, 336 and note 343 (Walchun's wife).

<sup>90</sup> Handel-Mazzetti 1913, 57, 61 ff.; Dopsch, Brunner, Weltin 1999, 225.

<sup>91</sup> See Tyroller 1962, 192 ff. and especially no. 32.



*Notitiae traditionum* from the bishopric of Freising and the monasteries of Göttweig and Klosterneuburg further reveal that Otto and Walchun of Machland had another brother, Berthold, who presumably died young, that their father's name was Frederick, that he called himself also "of Lautisdorf,"<sup>92</sup> and that he may be identical with Frederick of Perg.<sup>93</sup> What is particularly interesting in the reconstruction of the genealogy of the lords of Machland from the generation of Otto and Walchun is an undated *notitia traditionis* from the Admont monastery, because it states not only the name of the mother of the last generation of Machland brothers, but also that there was a fourth brother – Rudolf.<sup>94</sup> The *notitia* lists four donations of which the first three are of importance to us: they all refer to Öbelarn in the upper valley of the Enns, a place quite close to where Adelaide of Machland and Grimold of Tarcento donated property (in Diemlern near Irdingen and Nieder-Öbelarn respectively) to the provostship of Berchtesgaden. The first donation was made by *Walchun homo nobilis de Machlant*, who donated to the Admont monastery a certain bondsman and his farm. The second donation was made by a certain Adalram, who gave the monastery a farm and meadow and who is designated in the *notitia* as *homo proprius* "of lord Rudolf, the brother of the aforementioned Walchun," and who therefore required Rudolf's approval for the donation. The *notitia traditionis* of Adalram's donation contains further important chronological information: Adalram and his lord had made the journey *ad sepulchrum domini*. This more likely than not means that he participated together with Rudolf in the second crusade of 1147.<sup>95</sup> Many noblemen from the families of the old nobility of Bavaria and the Eastern Alps and their escorts indeed ventured to the Holy Land under

<sup>92</sup> On the problems of locating Lautisdorf, see Dienst 1966, 81 ff.

<sup>93</sup> Handel-Mazzetti 1912, 125 ff.; Handel-Mazzetti 1913, 51 ff.; Dienst 1966, 81 ff. especially 87.

<sup>94</sup> UBSt 1, no. 270: [1.] *Walchun homo nobilis de Machland pro remedio anime sue tradidit super altare sancti Blasii Azimannum iuniorum cum curte quam colebat ad Obelach et cum uxore ac filiis. [2.] Adalramus homo proprius domni Rudolphi fratris supra dicti Walchoun ad sepulchrum domini cum ipso domno suo uadens, tradidit monasterio Admuntensi cum manu et licentia predicti Rudolphi mansum unum ad Obelach omnino in proprietatem. Tradidit etiam pratum ibidem, conditione tamen sui reditus interposita, sed illo in eodem itinere defuncto, monasterium utrumque possedit. [3.] Richilt nobilis matrona mater predictorum Walchoun et Rudolf tradidit monasterio dimidium mansum in ipsa uilla Obelach quem tunc possederat Tounzi, et alium dimidium situm in monte supra Obelach quem possederat Tedwit.*

<sup>95</sup> The *notitia traditionis* was dated to 1147 by UBSt 1, no. 270 and Pirchegger 1951a, 83.

the command of King Conrad III, including Henry II Jasomirgott, Duke of Bavaria and Margrave of Austria; Count Bernhard of Spanheim; Ottokar III, Margrave of Styria; the brothers Berthold III and Poppo, Counts of Andechs; Count Hartwig of Bogen and his relative Frederick, who was the advocate in Regensburg; Count Conrad II of Peilstein; and others.<sup>96</sup> Whether Rudolf returned from the Near East alive or – like for instance Bernhard of Spanheim and many others – perished somewhere under the blazing sun of Asia Minor,<sup>97</sup> is not known. He is mentioned in the sources as *Ruedolf de Machlant* only on one other occasion, namely among the many witnesses to a *notitia traditionis* from the Bavarian monastery of Au on the Inn, which is however dated to around 1135.<sup>98</sup> Finally, a third donation to the Admont monastery must be mentioned: it was made by *nobilis matrona Richilt*, “the mother of the aforementioned Walchun and Rudolf” and granted two half farms to the monastery. The Machland trio recorded at the Admont monastery is also evidenced in the fraternity register of the monastery of the Augustinian canons in Seckau as *Rūdolf, Regila, Walchūn de Machlant*, and as part of a group of laymen who had a *minorem fraternitatem*.<sup>99</sup>

The conclusion that Rudolf was the name of one of the brothers from the last generation of the Machland family appears to solve the identity of Rudolf of Tarcento, who was probably also identical with the Ljubljana landowner of the same name. But this is so only at first sight. If indeed the assumption holds that the Otto mentioned in the charter of Rudolf of Tarcento from 1126 was identical with Otto of Machland, then he would of course not be referred to as Rudolf’s *nepos* or *cognatus*, but as his *frater* or something similar. A further indication that Rudolf of Tarcento was not identical with Rudolf of Machland is the particular way he called himself after Tarcento. A new fashion of aristocratic identity had become common in the 12th century: noblemen now called themselves after the castles of their residence – the centres of their power and authority.<sup>100</sup> This led to aristocratic “surnames” (*cognomina*) and an individual nobleman could have several “surnames,” because he was called after one of his castles in one environment, and

<sup>96</sup> Kosi 2001, 128 ff. and map no. 3.

<sup>97</sup> For details, see Jaksch 1928, 277 ff.

<sup>98</sup> Monumenta Auginesia, no. 46.

<sup>99</sup> Liber confraternitatum Seccoviensis, 388.

<sup>100</sup> Selected sources from the extensive literature on this issue: Schulze 1992, 9 ff. (with a bibliography); Werner 1999, 118 ff. (with a bibliography).

after another castle in another environment. A good example is Count Berthold II of Andechs (d. 1151), with whom the history of this Bavarian family in Carniola starts.<sup>101</sup> He called himself after four different residences: *de Andehs* (Andechs, Bavaria), *de Diezzen* (Diessen, Bavaria), *de Plassenberch* (Plassenburg, Franconia), and *de Stein* (Kamnik, Carniola).<sup>102</sup> If we now look at the name of Rudolf of Tarcento, the obvious difference is that in both the charter and the related *notitia traditionis* he is referred to with the expression *de loco Tercento*, and this is highly unusual. It suggests that Tarcento cannot have been his seat, but that he was in some way and for unknown reasons a temporary resident of that place. And if we then look at the property he donated to Berchtesgaden in 1126, we see that it was not located in Tarcento, but in its more or less distant environs.<sup>103</sup> This indicates that Rudolf had no property at all in Tarcento – an unlikely circumstance if he really was the brother of Otto and Walchun, who are both documented as landowners in Tarcento.

These dilemmas make us reconsider the undoubtedly existing connections Rudolf of Tarcento had with the lords of Machland. In view of the designation *nepos* referring to Otto (of Machland), we should probably try and trace Rudolf of Tarcento in the generation of Frederick, the father of the four brothers from the last generation of the lords of Machland. Kamilo Trotter<sup>104</sup> identified Walchun of Lungau, mentioned as a witness in charters of the monastery of St Lambrecht in 1096–1103, as their grandfather and thus Frederick's father.<sup>105</sup> This opinion was later joined by Ernst Klebel, who for reasons based on ownership history, identified him also as the Walchun designated as a brother of the deceased Rudolf in a *notitia traditionis* from the monastery of Göttweig from 1081–1089.<sup>106</sup> If this reconstruction of the genealogy of the lords of Machland is correct, and if we call to mind how important family names were for the self-perception and identity of the nobility in the 11th and 12th centuries – they were passed on persistently from one generation to the next, thus preserving the family's tradition(s) – our attention is drawn by five Freising *notitiae traditionum* dated to between

<sup>101</sup> See Štih 2001f, 11 ff.

<sup>102</sup> Dungern 1931, 21 and no. 35; Tyroller 1962, 153 ff.

<sup>103</sup> See note 53.

<sup>104</sup> Trotter 1931–1934, 407 ff.

<sup>105</sup> UBSt 1, nos. 88, 94, 95.

<sup>106</sup> Klebel 1969, 149 and the genealogical table 3 in the supplement.

1078 and 1085.<sup>107</sup> A “certain nobleman Rudolf” (*quidam vir nobilis Rödolfus*)<sup>108</sup> granted to the cathedral chapter of Freising and its canons various properties in Bavaria and a large number of bondsmen. The *notitiae* however also tell us that this noble Rudolf “of Margarethenried”<sup>109</sup> had a wife called Adelaide<sup>110</sup> and that the two had a son whose name was Rudolf.<sup>111</sup> One does not need a lot of imagination to assume that this Rudolf of Margarethenried may be identical with the brother of Walchun of Lungau, and his son Rudolf identical with Rudolf of Tarcento; and we have also come across the name Adelaide in the family of the lords of Machland. Rudolf of Tarcento (and of Lungau),<sup>112</sup> advocate of Aquileia and landowner near Ljubljana, may thus well be a cousin of Frederick “of Lautisdorf,” the father of the four Machland brothers and Otto of Machland was then correctly called his *nepos*.

The thesis that Rudolf of Margarethenried may have been the father of Rudolf of Tarcento is further supported by a piece of information from one of the mentioned Freising *notitiae*. It states that Rudolf and his wife Adelaide ceded to Freising a large number of their bondsmen. Among the four witnesses listed and designated as noblemen (*nobiles*) at the end of the *notitia*, the first place is occupied by a “Carniolan” Engilbero (*Engilpero Chreinensis*), who was accompanied to Bavaria by his *miles* Adalpreht (*Adalpreht miles Engilperonis*), ranked fourth and last.<sup>113</sup> Engilbero’s (first!) position among the witnesses to a donation by Rudolf and Adelaide certainly is no coincidence, but should be understood as resulting from their connections and relationships. If nothing else, this tells us that Rudolf of Margarethenried had connections with Carniola, although it is highly likely that Engilbero, whose Carniolan “surname” in the *notitia* derived from the circumstance that unlike the other witnesses he was not from Bavaria, was a close relative of Rudolf.<sup>114</sup> If, as argued above, Rudolf of Margarethenried and Rudolf

<sup>107</sup> TF 2, nos. 1648a-e.

<sup>108</sup> TF 2, no. 1648a.

<sup>109</sup> Among the possessions Rudolf donated to the Freising canons was his proprietary church *apud Riede*. This is thought to be Margarethenried near Landshut, Bavaria, and Rudolf is therefore called “Rudolf von Margarethenried” in the literature (Dungern 1931, 75).

<sup>110</sup> TF 2, nos. 1648c, d, e.

<sup>111</sup> TF 2, no. 1648e.

<sup>112</sup> See note 68.

<sup>113</sup> TF 2, no. 1648d.

<sup>114</sup> As in Dungern 1931, 73, 75. Gänser 1992, 91, summarises his observations concerning the ranking of witnesses in the following conclusion: “Die Gruppierung der

of Tarcento were associated by the name of the former's son and apparently by the connections of both with Machland, they are now further connected by Carniola. As a result, the 20 *mansi* near Ljubljana Castle, which Rudolf donated to the canons of Aquileia between 1112 and 1125, may well have derived from the property his father possibly had in Carniola. It would be no surprise at all if Rudolf of Margarethenried, who had a relative, or a at least a person he was closely connected with, in Carniola, had property there. And it would be no surprise either if this property was adjacent to Engilbero's property, given that they were related, as we may reasonably assume.

*The Beginnings of the Freiherren of Auersperg (Turjak) in Carniola*

But who was this Carniolan nobleman and where was his property located? To answer these questions we can draw on a charter of King Henry IV, issued on December 11th, 1062, in Regensburg. The charter's recipient was a certain Anzo, to whom the king granted a property in Carniola, bordered by four landowners listed by name, and one of them was Engelbero.<sup>115</sup> Milko Kos<sup>116</sup> and Ernst Klebel<sup>117</sup> identified the "Carniolan" Anzo, whose family background cannot be determined with any accuracy yet, with a nobleman of the same name who on several occasions appears as a witness to charters of the archbishops of Salzburg Balduin (1041–1060) and Gebhard (1060–1088).<sup>118</sup> That his name appears in the company of the Salzburg archbishops is understandable, because Anzo was a vassal of the Salzburg and had property in Pongau and Lungau in fief from the Church.<sup>119</sup> That the "Salzburg"

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Zeugen unterscheidet sich in Details von Tradition zu Tradition, doch hat es den Anschein, daß im rein kirchlichen Umfeld die 'edlere' Abkunft die vorderen Plätze eröffnete, während bei weltlichen Gruppierungen mehr die verwandschaftlichen Beziehungen im Vordergrund standen."

<sup>115</sup> D. H. IV, no. 96: /.../ *Anzoni nostro quidem fideli tale predium, quale infra terminum his nominibus subnotatum habere videbimur, in pago Creine in marcha ad eundem pagum pertinentem in comitatu Òdalrici marchionis situm ipso annuente et concedente in superiori riuuo qui Gvrca, sicut predium Rödperiti usque ad rivum Bitsa vocatum finit, ubi prefati Anzonis predium iuxta eundem riuulum adiacet in occidentali quidem plaga, ubi predia Tiepoldi comitis et Rapotonis comitis usque ad Engelberonis predium pretendere videntur, in villa Lonsa dicta, ex eiusdem predicti Engelberonis predio, sicut recto intuitu videri potest, ad prefatum predium Rödperiti, quod, ut predictimus, in superiori riuuo Gvrca vocato situm est.*

<sup>116</sup> Kos M. 1940, 72.

<sup>117</sup> Klebel 1969, 154.

<sup>118</sup> SUB 1, p. 233 (no. 5a), 242 (no. 22); SUB 2, nos. 81, 82, 94, 95, 96, 98.

<sup>119</sup> SUB 2, no. 140.

Anzo is one and the same person as the “Carniolan” Anzo is supported, in addition to the name and the period they lived in, by the history of his Carniolan property, which later – probably after Anzo’s death – fell to Salzburg.<sup>120</sup> Already during his lifetime, Anzo returned to archbishop Gebhard of Salzburg the fief of the tithes in Lungau, and the latter granted them to the monastery of Admont around 1075. However, his successor, archbishop Tiemo, granted them *necessitate persecutionis* to Dietmar of Dornberg-Lungau around 1090,<sup>121</sup> who in his advanced age wanted them to be returned to the monastery of Admont. But when Dietmar died, Otto of Machland demanded the tithes for himself, and it was only after pressures from the archbishop that he renounced them in 1139, and Conrad I then restored them to the monastery of Admont.<sup>122</sup> Anzo was not the only landowner in Carniola who had property in Lungau. Rudolf of Tarcento belonged to this group and so did the counts of Vohburg, Bavaria, who later appear as landowners in Carniola and even as Anzo’s adjacent neighbours.<sup>123</sup> If we now call to mind that other landowners from the present-day Slovene territory had possessions in Lungau, for instance the *Freiherren* of Puchs and the lords of Pettau,<sup>124</sup> then we see Lungau, which belonged to the duchy of Carinthia until the mid 13th century, in a whole new light – as an important springboard to the nobility from the Bavarian area for the southward expansion of their properties.

King Henry IV first bestowed property on Anzo in Carniola in 1058, when he granted him three royal *mansi* in four villages – *Bizi*, *Dobelgogesdorf*, *Herzogenbach* and *Lipnack* – in the southeast of the Ljubljana Basin, and at the same time permitted Anzo to complete his property in the nearby settlements south of the river called *Bitzi*, should there not be enough land in the mentioned villages.<sup>125</sup> Since we can

<sup>120</sup> Kos M. 1940, 66 ff.

<sup>121</sup> See Klebel 1969, 170 ff.; Pircheger 1951a, 89 ff.

<sup>122</sup> SUB 2, no. 196: */.../ decimas in Longowe quas quondam inbeneficiatas Anzoni nobili viro Gebhardus archiepiscopus ipso resignante monasterio sancti Blasii delegaverat, sed dominus Tyemo necessitate persecutionis Dietmaro nobili viro de Dornberch in beneficio concesserat, petitione eiusdem senis ecclesie Admuntensi redonavimus, et Ottonem nobilem de Machlant, qui eas iniuste usurpaverat, ipsas apud Strazwalhen abdicare fecimus.* See also Klebel 1969, 43. ff., 153.

<sup>123</sup> See notes 139–173.

<sup>124</sup> Pircheger 1951a, 89 ff.; Klebel 1969, 147 ff.

<sup>125</sup> D. H. IV., no. 43: */.../ fideli nostro Anzo nominato tres regales mansos in villis, quorum nomina subsequenter, id est Bizi, Dobelgogesdorf, Herzogenbach et Lipnack, et si in his aliquod defuerit, in proximis habitationibus ex meridiana parte fluminis Bizi nuncupati adimplendos, in marcha Kreina et in comitatu Ôdelrici marchionis sitos.*

identify the listed places as the villages of Bičje, Podtabor, Udje and Lipljene, south of Grosuplje and the Bičje stream,<sup>126</sup> Anzo's original Carniolan property must have been located in the hilly area south-east of Ljubljana, in the triangle formed by Grosuplje, Turjak, and Čretež. A second deed of gift to Anzo from 1062 is obviously related to the same area. In my opinion, it is associated with the implementation of the provision in the 1058 charter that Anzo had the king's permission to occupy land in the nearby settlements, provided they were not located north of the Bičje stream, should there not be enough royal land in the four mentioned villages. For according to the 1062 charter, the property of a certain Roudpert extended from the upper Krka to that area (*usque in rivum Bitsa*) and bordered with Anzo's property. The Bičje stream was thus the northeastern border of Anzo's property, founded in 1058 and re-granted to him within its expanded borders in 1062.

Concerning its western border, the charter from 1062 states that it extends to where the properties of Count Diepold and Count Rapoto adjoin Engelbero's estate; and at the village of *Lonsa* to where Engelbero's and Roudpert's properties adjoin. Anzo's property, thus defined by the description of its borders, tells us that the property and ownership structure of the area in the southeast of Ljubljana was much more diverse in the mid 11th century than we may have thought, since the charter mentions no less than 5 landowners. Given that according to the 1058 charter Udje was the westernmost settlement on Anzo's property, we may assume that its western border was somewhere on an imaginary line connecting Pijava Gorica and Turjak, where the Ljubljana Marsh abruptly ends/begins in the valley of the Želimejščica. It was here somewhere that the properties of the counts Diepold and Rapoto adjoined Engelbero's. Because of the village of *Lonsa*, which can only be Ločnik near Turjak<sup>127</sup> and which was located on Engelbero's property, we may assume that the properties of the counts Diepold and Rapoto, on which more will be said below, were located to the north-west – around Ig and in the Ljubljana Marsh – in the direction of

<sup>126</sup> On the location of this property, see Kos M. 1975, s. v. Bičje, Udnje, Lipljene; Kos M. 1940, 71; Giesler 1997, 345 with note 731 and illustration 56.

<sup>127</sup> As in Kos M. 1940, 71; Kos M. 1975, 330. Another option, ventured by Gradivo 3, no. 224 and note 2, identifies *villa Lonsa* as Luče, south of Višnja gora, but this is unlikely because Luče is located east of the Bičje stream and that means on Roudpert's property.

Ljubljana. Engelbero's property, bordering on one side with Diepold's and Rapoto's, and on the other side with Roudpert's, must thus have occupied the wider area of Turjak or Auersperg, as it is better known outside Slovenia.

These findings as good as answer the question of who *Engilpero Chreinensis* in the *notitia* of Rudolf of Margarethenried was. Considering his name, social status, and Carniolan "surname," there can be no doubt that he was identical with the Engelbero from the 1062 charter. We can therefore consider him to be the ancestor of the first *Freiherren* of Auersperg, who died out in the 13th century.<sup>128</sup> This assertion is supported not only by his property around Turjak and the fact that Engelbero/Engelbert remained one of the leading names in the Auersperg family, but also by the high social position the first Auerspergs had as members of the free nobility (*liberi*)<sup>129</sup> and to whom Engelbero "of Carniola" – referred to as *nobiles* – belonged as well; Engelbero, who had his own free, and possibly even noble, vassal (*miles*).<sup>130</sup> But that is not all: the Bavarian extraction of the Auerspergs, merely assumed in the past,<sup>131</sup> is now confirmed by the connection between Engelbero – we may now call him Engelbero of Auersperg rather than "of Carniola" – and Rudolf of Margarethenried. Engelbero's presence in the *notitia traditionis* by Rudolf in Bavaria in matters of a distinctly family nature;

<sup>128</sup> See Dungen 1931, 73; Komac 2000, 18; Preinfalk 2005, 39 ff.

<sup>129</sup> On the family of the first *Freiherren* of Auersperg, see most recently: Komac 2000, 17 ff.; Preinfalk 2005, 46 ff.; Kos D. 2005, 235 ff.

<sup>130</sup> In the 11th century, *miles* mainly meant a vassal in general, and that is why this designation of function also accompanied people who were counts, dukes, or other recipients of sovereign charters from the high nobility. An excellent illustration of the social group to which Engelbero of Carniola (and his *miles* Adalprecht) must have belonged, is the "marriage contract" between the Freising *vicedominus* and later first Count of Ortenburg, Adalbert, and his with Bertha from around 1072 (TF 2, no. 1469) – thus from around the same period: it lists no less than 47 noblemen (*nobiles*) among the witnesses before turning to the *ignobiles*. What is interesting, however, and in line with the above claim that *miles* meant a vassal in general – and that consequently members of the (high) nobility could well be *militi* – is the fact that this group also included *militi* listed in pairs with their seniors: *Nobiles enim isti sunt: Heinrich filius Marchwardi Carinthiensis comitis et milites eius Ödalschalch, Anno, Erchanger, Arnolt comes de Diezan et miles eius Wolftrigel, Meginhart comes de Giltich(ingen) et miles eius Magnus, Otto comes de Daningan et miles eius Reginpreht, Otto comes de Skyrun et miles eius Reginpreht, Adalchoch de Umbalesdorf et miles eius Rötpreht, Adalpreht de Heriboldesueldeun et miles eius Arnolt, Ernust comes et vassallus suus Isingrim, Ger comes et miles eius Reginhart, Werinheri comes et vassallus suus Ozi, Lanfrit comes, Adalram miles Patauiensis episcopi et miles eius Ratpoto* (etc.). For the identification of the principal names in this list, see Meyer, Karpf 2000a, 494 ff.

<sup>131</sup> See Preinfalk 2005, 42.



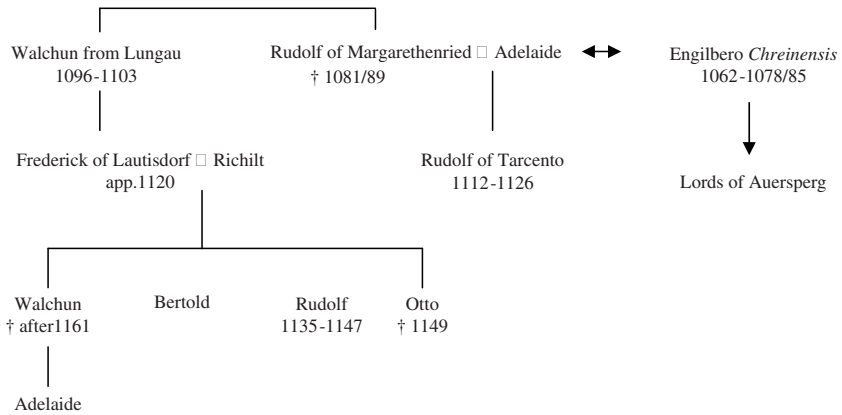


Fig. 8. The lords of Machland – Rudolf of Tarcento – lords of Auersperg.

the property the presumed son of Rudolf of the same name had somewhere in the vicinity of Ljubljana, quite close to where Engilbero had his property: all these elements indicate that Rudolf of Margarethenried and Engilbero of Auersperg were related, and this consequently means that the origin of the Auerspergs must lie in the same circle of noblemen from which the lords of Machland originated; this then allows us to date the Ljubljana property of Rudolf of Tarcento back by one generation with greater probability and to attribute it to his father.

Sergij Vilfan thought that the Engilbero from 1062 may have been identical with Engelbert I of Spanheim (d. 1096),<sup>132</sup> the first Spanheim born in Carinthia to Siegfried of Spanheim and Richarda “of Lavant.”<sup>133</sup> His opinion was inspired by the name as well as the property of the first, but he did not really attempt to locate the property with greater accuracy. He saw it as the beginning of the large Spanheim property in and around Ljubljana. In support of this thesis we may mention a circumstance unknown to Vilfan: Engelbert I of Spanheim is mentioned in Aquileia, Friuli, in 1064,<sup>134</sup> confirming that he was already active far to the south in the period under study. On the other hand, however, there are arguments of greater weight that refute Vilfan’s thesis. The first indication that the Engilbero from 1062 and Engelbert I of

<sup>132</sup> Vilfan 1984, 80.

<sup>133</sup> See Dopsch 1991, 49 ff.; Hausmann 1994 11 ff.; Štih 2003, 58 ff.

<sup>134</sup> Härtel 2002, 64 ff. (publication of the charter); Hausmann 1994, 12; Meyer, Karpf 2000, 31 (identification with Engelbert I of Spanheim). He is mentioned as the advocate of his future wife Hedwig, who at that time and as the widow of Herman of Eppenstein donated the village of Skrilje in the Vipava Valley for his *anniversarium*.

Spanheim were two different persons lies in the different forms of the same name. The *notitia traditionis* of Rudolf of Margarethenried confirms that the first was called Engi(e)lbero, not Engi(e)lbertus, whereas the name of the member of the Spanheim family is consistently mentioned as “Engelbertus.”<sup>135</sup> More importantly, Engelbert I of Spanheim held the position of count. He is referred to as *comes* already on the occasion of his first mention from 1057 in Franconian Kraichgau,<sup>136</sup> where he succeeded his deceased relative Wolfram from the Zeizolf-Wolfram family;<sup>137</sup> he was later called Count of Spanheim (1060/77), as well as Count of Pustertal (1070-ar.1090).<sup>138</sup> Considering that the social position of the persons mentioned in charters was stated with great care, we may rightfully expect the 1062 Engelbero, if he was really identical with Engelbert I of Spanheim, to be referred to as *comes* in the charter issued to Anzo, but this is not the case. And since Engelbero’s northwestern neighbours Diepold and Rapoto are mentioned as counts in the same charter and even in the same sentence,<sup>139</sup> this obviously means that the title of count is not missing after Engelbero’s name by accident, but that unlike Diepold and Rapoto, as well as Engelbert I of Spanheim, he plainly was not a count. Vilfan’s thesis is further refuted by an equally important, property-related argument: as we saw above, Engelbero’s property did not correspond with the later Spanheim property, but rather with the later Auersperg property.

### *The Counts of Vohburg and Carniola*

Engelbero thus cannot have been the precursor of the extensive property of the Spanheims in the area of Ljubljana, and it is much more likely that – in addition to Rudolf of Tarcento, of course – the true candidates for this role are the counts Diepold and Rapoto, whose estates (*predia*), according to the 1062 description of Anzo’s borders, included the southeastern part of the Ljubljana Marsh. But who were these two counts? In 1931, Kamillo Trotter thought them to be members of the comital family of Vohburg, Bavaria,<sup>140</sup> known as the

<sup>135</sup> See MC 4/2, register, s. v.

<sup>136</sup> D. H. IV, no. 12. (*in pago Creihgouwe in comitatu Engelberti comitis*). See Hausmann 1994, 12; Dopsch 1991, 50.

<sup>137</sup> Hausmann 1977, 157 ff.

<sup>138</sup> Hausmann 1994, 12.

<sup>139</sup> See note 115.

<sup>140</sup> Dungere 1931, 54 ff. and table 4, 73.

Rapotonen-Dietpoldingen because of the typical names Ra(t)poto and Die(t)pold in the family.<sup>141</sup> The family started to establish itself in the Bavarian colonisation area of the Danube Basin in Austria in the late 10th and first half of the 11th centuries. Ra(t)poto I, the first known representative of the family, is documented as count in Salzkammergut in the upper part of Traungau in 977.<sup>142</sup> Further eastwards, in the large empty border area with the Bohemian and Hungarian neighbours, the Rapotonen-Dietpoldingen and their ministerials started to build up an independent economic area in Weinviertel and the Vienna Basin, where they controlled the important castles of Mödling and Hainburg until their alliance with King Henry IV in the Investiture Conflict forced them to withdraw from the emerging *Land* of Leopold II of Babenberg, who was a pro-Gregorian.<sup>143</sup> *Tiepoldus comes et Rapoto comes* from Anzo's 1062 charter can thus be identified as the brothers Dietpold II and Ra(t)poto IV from the comital family of Vohburg.<sup>144</sup> The first was the margrave in Nordgau, Bavaria, towards the end of his life. He is listed as *Tiepoldus marchio* among the *familiares* or *amicis* of King Henry IV in two charters issued by the king, by which he granted the marches of Istria and Carniola to Sigehard, the patriarch of Aquileia, in Nuremberg on June 11th, 1077; these two charters additionally indicate that Dietpold was connected with Friuli and the present-day Slovene territory.<sup>145</sup> Dietpold met with his death only one year later, on August 7th, 1078, in the battle of Mellrichstadt in Franconia, which Henry IV lost; it was the first large clash of the civil war between King Henry IV and the counter-king Rudolf of Rheinfelden.<sup>146</sup>

Two years later, on October 15th, 1080,<sup>147</sup> a similar fate awaited his brother Ra(t)poto IV, *unus de summis principibus*, as he was described in *Liber de bello Saxonico* by the pro-Gregorian chronicler Bruno. He fell near the Elster River in Saxony, in a battle which Henry IV again lost, but which also saw the counter-king Rudolf mortally wounded.

<sup>141</sup> Tyroller 1962, 180 ff.

<sup>142</sup> Tyroller 1962, 180 and note 1.

<sup>143</sup> Dopsch, Brunner, Weltin 1999, 222.

<sup>144</sup> Dugern 1931, 73 (Rapoto IV is here mentioned as Rapoto III; concerning Dietpold, Dugern thinks it possible that it may have been his father Dietpold I, who however died around 1060); see more details in Tyroller 1962, 184 and no. 6, 185 and no. 8.

<sup>145</sup> DD. H. IV., nos. 295, 296. On these two grants, see Štih 2000b, 370.

<sup>146</sup> Dugern 1931, 55 and no. 5; Tyroller 1962, 185 and no. 8.

<sup>147</sup> Bruno, *Liber de bello Saxonico*, c. 122.

Sources referring to the 1070s tell us that Ra(t)poto IV was the count of Cham and the advocate of the monastery of St Emmeram in Regensburg.<sup>148</sup> In 1072 he attended the consecration of the monastic church of the Michaelbeuern abbey, the “house monastery” of the Sigehardings.<sup>149</sup> The account of the consecration, performed by the patriarch of Aquileia, Sigehard, who was himself a member of the Sigehardings,<sup>150</sup> is preserved in two versions and they clearly illustrate Ra(t)poto’s place within the Bavarian high nobility and his connections with the south. Among the prominent guests attending the ceremonial event as witnesses was the patriarch’s nephew Sigehard, later documented as count of Tenglingen and advocate of Michaelbeuern;<sup>151</sup> Margrave Lui(t)pold (II of Babenberg?); Louis, the count of Friuli;<sup>152</sup> the advocate of Aquileia, Marquard IV of Eppenstein and his son of the same name;<sup>153</sup> Count Kadalhoch *de Mvosiza*, a member of the Aribones family,<sup>154</sup> who founded a monastery in Moggio in Val Canale, Friuli, after which he was called, and another monastery in Ebensdorf, Carinthia;<sup>155</sup> and Meginhard III (*Albus*), Count of Lurngau around Lienz, whose son Meinhard from the marriage with Diemut of Spanheim later became the ancestor of the Counts of Gorizia.<sup>156</sup> Two other prominent guests were Bernhard, the son of Count Otto of Scheyern-Wittelsbach<sup>157</sup> and Count William, the first of his family to be called after Heunburg in Carinthia.<sup>158</sup> The reputation and status Count Ra(t)poto IV enjoyed in this eminent company is well illustrated by the fact that the longer version of the account ranks him, together with his two sons Ulric and Ra(t)poto, in first place among the comital witnesses, and that only the patriarch’s nephew and Margrave Lui(t)pold precede them in the shorter version.<sup>159</sup>

<sup>148</sup> Tyroller 1962, 184 and no. 6.

<sup>149</sup> See Dopsch 2001a, 661 ff.

<sup>150</sup> Dopsch 2000, 294 and the genealogical table on p. 309.

<sup>151</sup> Tyroller 1962, 95 ff. and no. 29.

<sup>152</sup> See Štih 1999c, 108 and note 399.

<sup>153</sup> See Die Herrschaft der Eppensteiner in Kärnten, 42 and no. 49; Hausmann 1984, 551 ff.

<sup>154</sup> Dopsch 1993, 85 ff. and the genealogical table on p. 70.

<sup>155</sup> See Härtel 1984, 35 ff.

<sup>156</sup> Dopsch 1999a, 14 ff.; Meyer, Karpf 2000, 46 ff.; Dopsch, Meyer 2002, 305.

<sup>157</sup> Tyroller 1962, 247 and no. 3.

<sup>158</sup> Dopsch 1970, 313 and the genealogical table at the end.

<sup>159</sup> SUB 1, 771 ff. and no. 1a, b (a: *Huius testes sunt: Iunior Syrvs nepos patriarche et Liupoldus marchio et Rapoto senior et Vdalric et iunior Ratpodo filii eius /.../*; b: *Testium nomina de comitibus: Rapoto et filii eius Vdalricus et Rapoto /.../*).

The two Vohburg brothers, documented as landowners in Carniola in 1062, were thus already deceased by 1078 or 1080. Since they both had male descendants, one would expect their sons to inherit the Carniolan estates as well. Dietpold II's son was Dietpold III, Margrave in Vohburg and Cham, while Ra(t)poto IV left behind two sons from his first marriage: Ra(t)poto V, count palatine of Bavaria, and Ulric, Count in Passau, joined by their half-brother Herman from the second marriage, who was first parish priest of Cham, and Bishop of Augsburg from 1096.<sup>160</sup> Herman was made Bishop of Augsburg thanks to the assistance of his two half-brothers, and Ra(t)poto granted the local canons a *predium in Creino* in support of Herman's candidature;<sup>161</sup> this was obviously a property Ra(t)poto V owned in Carniola.<sup>162</sup> What share exactly the Augsburg canons were granted from Vohburg's Carniolan possessions cannot be established, but we may presume with high probability that it was the part (or some of it) that belonged to Ra(t)poto V's father – Ra(t)poto IV in 1062. It certainly appears that the comital family of Vohburg must have continued to own property in the vicinity of Ljubljana in Carniola, and that the original Vohburg property was the foundation for the later extensive estate of the Carinthian Spanheims.<sup>163</sup>

*The Beginnings of the Spanheim Estate in and around Ljubljana*

Ra(t)poto IV's second son, the above-mentioned Ulric (d. 1099), who was called after Passau and who was so powerful and rich that people

<sup>160</sup> Tyroller 1962, genealogical table 13, 186 and no. 12, 187 and no. 13, 188 and no. 17.

<sup>161</sup> Oefele 1877, 225 (document no. 2). The witness ranked first in this undated record is *marchio Diepaldus*, Dietpold III, a cousin of Ra(t)poto V.

<sup>162</sup> Oefele, *ibidem*, thought that *Creino* referred to Gremheim north of Augsburg, but already Kamillo Trotter (in Dungern 1931, 55) was very sceptical about this location and preferred Carniola.

<sup>163</sup> To complement the picture of the connections the counts of Vohburg had with the Slovene territory, we should mention that the area of Gornji Grad may have been Vohburg property as well; in 1140 Diepold *de Chagere* and his wife Truta of the high nobility donated it to the Church of Aquileia for the purpose of founding a Benedictine monastery there (UBSt 1, no. 180). Because of his typical Vohburg name Die(t)pold, Pirchegger 1951a, 169, surmised that he descended from a side branch of the Vohburg family or belonged to it by virtue of his mother; some historians place his origin in the circle of the counts of Bogen (Bernhard 2000, 267). What is certainly indicative is that Diepold of Kager appears in the company of the Spanheims on several occasions (Pirchegger, *ibidem*); the latter indeed had family ties with the counts of Vohburg (see below). In an 1140 charter of Pelegrin I, the patriarch of Aquileia, founding a Benedictine monastery on Diepold's former allod of Gornji Grad, Bernhard of Spanheim is mentioned first among the secular witnesses.

called him *Vilrich* (“der Vielreiche”) instead of *Ulric*,<sup>164</sup> had a single daughter, *Uta*, from his marriage with *Adelaide* of *Frontenhausen-Lechsgemünde*. Shortly before his death, probably in 1098/99, *Ulric* married her to *Engelbert II* of *Spanheim*, the firstborn son of the founder of the monastery of *St Paul*, *Engelbert I* (d. 1096).<sup>165</sup> *Engelbert II* was the margrave of *Istria* from 1108 onwards at the latest, and after the death of his younger brother *Henry (IV)* in 1124 he was the second member of the *Spanheim* family to become duke of *Carinthia*.<sup>166</sup> It is in this function that we come across him at the *Soča (Isonzo)* in 1126 in the charter of *Rudolf of Tarcento*; he travelled to the *Soča (Isonzo)* in the company of his sons *Engelbert III* and *Ulric I*.<sup>167</sup> The latter was named after his mother’s father, and one of the prominent names of the *Carinthian Spanheims* was introduced to the family through their family ties with the *Vohburgs*. Another *Vohburg* name was carried by a further son of *Engelbert II* and *Uta*: *Count Rapoto*, the first to be called after *Ortenberg* (later *Ortenburg*) near *Passau* in *Bavaria* in 1123/33, and the ancestor of the *Carinthian branch* of the *Spanheims* that has survived into the present day.<sup>168</sup> In the past, *Uta* was associated with the *Slovene territory* by the fact that in 1135/41 she donated to the provostship of *Baumburg* in *Upper Bavaria* 20 farms in the village of *Črniče* in the *Vipava Valley* in 1135/41.<sup>169</sup> She brought not only new names to the *Spanheim* family but, more importantly, rich possessions deriving from her position as the universal heiress of her father *Ulric*. Most of this property was located in the wider environs of *Passau* and

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<sup>164</sup> MC 3, no. 507: *comes Ūdalricus de Pactavia et prepotens et dives ita, ut vulgo Vilrich appellaretur, viduam ipsius [Adilheit] duxit uxorem; per quam tamen solam filiam generans nomine Ūtam Eingelperto duci de Chraieburc eam deoponsavit.*

<sup>165</sup> Tyroller 1962, 189 and no. 20, 265 and no. 5; Hausmann 1994, 13.

<sup>166</sup> See Dopsch 1991, 59 ff.; Hausmann 1994, 13.; Štih 2003, 60, 66.

<sup>167</sup> See notes 53, 56.

<sup>168</sup> Hausmann 1993–1994, 11; Hausmann 1994, 16; Štih 2003, 73.

<sup>169</sup> Gradivo 4, no. 126; *Die Traditionen Baumburg*, no. 150. However, *Zirnsach juxta Aquileiam* is not *Cervignano*, as *Franc Kos* thought and as is mentioned in *Monumenta Boica* 3 (1764, reprinted in 1964) 43 and note 124, but *Črniče* in the *Vipava Valley*; see Hausmann 1984, 576. Because of its remote location, the provostship of *Baumburg* exchanged the property with *Sigehard of Tittmoning*, the ministerial of the duke of *Carinthia*, *Henry V* of *Spanheim*, for a property in *Engelberg* (near *Vilsbiburg*) between 1144 and 1148: *Gradivo* 4., no. 206; *Die Traditionen Baumburg*, no. 211. *Črniče* is located within the territorial complex of which *Emperor Otto III* gave one half to the *Aquileian church* and the other half to the *Friulian count Werihen* in 1001 (*Štih* 1999c, 133 ff.). The *Spanheims* acquired this property through the wife of *Engelbert I* of *Spanheim*, *Hedwig* “of *Mossa*,” who belonged to the *Werihen* family; See Meyer, Karpf 2000, genealogical table on p. 47; Dopsch, Meyer 2002, 337 ff.

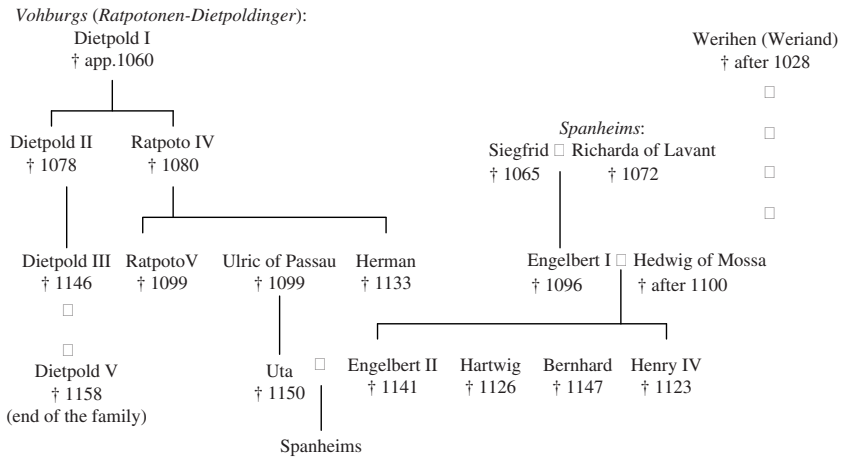


Fig. 9. The Vohburg and the Spanheim families (reduced genealogy).

Chiengau.<sup>170</sup> Engelbert II of Spanheim and his son of the same name even titled themselves “Margrave of Kraiburg” and “Margrave of Markwartstein” after the estates and castles in that area,<sup>171</sup> and Uta titled herself “Duchess of Kraiburg” after her husband’s renunciation of his position of duke of Carinthia (in 1134) and after he had retreated to the monastery of Seon.<sup>172</sup>

According to research carried out by Ernst Klebel, the property the Spanheims had in Lungau, in the valley of the Lessach River and in the offices of Göriach and Judendorf, also derived from the estate of Ulric of Passau, who held the position of count of Lungau around 1090.<sup>173</sup> If we now call to mind the conditions in Carniola, where the later Spanheim estate of Ljubljana<sup>174</sup> extended across the territory documented as Vohburg property in 1062, it seems evident that the beginnings of the Spanheims in Carniola should be associated with the Vohburg inheritance from Ulric of Passau and that these beginnings should be set approximately around 1100, when Uta, the wife of

<sup>170</sup> Dopsch 1991, 59.

<sup>171</sup> Tyroller 1962, 265 and no. 5, 271 and no. 12. Hausmann 1994, 13, 15.

<sup>172</sup> Tyroller 1962, 265 and no. 5. Referred to as *Outa ducissa de Creihburc* in the *notitia traditionis* by which she granted the provostship of Baumburg farms in Črniče in the Vipava Valley (see note 169).

<sup>173</sup> Klebel 1969, 22, 158 ff.

<sup>174</sup> Concerning its area, see Vilfan 1984, 80.

Engelbert II of Spanheim, came into the inheritance after her father's death in 1099.

In the past, historians explored other avenues to answer the question of the way in which the Spanheims acquired Ljubljana and the local estate. Ljudmil Hauptmann thought in 1929 that the Spanheims may have acquired the Ljubljana estate at the time they made their first appearance in Carinthia with the wedding of Siegfried of Spanheim to Richarda of the Aribonid dynasty.<sup>175</sup> Richarda "of Lavant" however was not a member of the Aribones, as Hauptmann erroneously believed, but of the Sighardings,<sup>176</sup> from the same tradition to which some leading Spanheim names like Engelbert and Hartwig belonged.<sup>177</sup> Furthermore, there are no documents indicating that the Aribones or Sighardings had any property in Carniola, let alone in the Ljubljana Basin, in the 11th century. Hauptmann changed his opinion in 1935 to the view that the area of Ljubljana was originally part of the property of Hemma's family. He thought it had passed into the hands of the Spanheims in the early 12th century (1106), when Bernhard of Spanheim militarily destroyed the power of Hemma's relatives and her heirs – the Asquinus branch – towards the end of the Investiture Controversy in the Eastern Alps.<sup>178</sup> Of the former legacy of Hemma of Gurk, Bernhard acquired among others the Marenberg-Radlje estate and a large part of the Drava Valley between Dravograd and Maribor, furthermore Slovenj Gradec and environs, the lower course of the Savinja and the Laško estate, most likely also Kostanjevica na Krki and, according to Hauptmann, perhaps Ljubljana as well.<sup>179</sup> But unlike the Drava and Mislinja valleys, the Savinja basin, and the lower Krka, where Hemma's property is indeed documented,<sup>180</sup> there is not a single reference in the historical sources to Ljubljana being owned by Hemma. Hauptmann's only argument – but it is really not an argument at all – for including the Ljubljana environs in Hemma's property was that it was located on the road connecting her possessions in Friuli and Carinthia.<sup>181</sup>

<sup>175</sup> Hauptmann 1929, 393.

<sup>176</sup> Tyroller 1962, 89 ff.; Hausmann 1977, 147 ff.; Dopsch 1991, 47 and the genealogical table on p. 46.

<sup>177</sup> See Štih 2003, 73.

<sup>178</sup> MC 3, no. 505.

<sup>179</sup> Hauptmann 1935, 225 ff., especially 229.

<sup>180</sup> Hauptmann 1935, map 1 and 2.

<sup>181</sup> Hauptmann 1935, 227.



Similarly unsubstantiated by sources is the opinion of Dušan Kos<sup>182</sup> that the Ljubljana environs were originally owned by the Bavarian Sempt-Ebersberg family<sup>183</sup> whose members Ulric<sup>184</sup> and Eberhard (II)<sup>185</sup> were the margraves of Carniola in the first half of the 11th century. The Ljubljana estate was then later passed on to the Eppensteins, but Kos fails to explain in what way. Since Hedwig, the wife of Engelbert I of Spanheim, was an Eppenstein by extraction, Kos thinks it “not unlikely that her endowment was the Ljubljana estate.”<sup>186</sup> There is however no documentary evidence indicating that the Ebersbergs or Eppensteins ever owned Ljubljana or its environs, nor is there any merit to the opinion that the wife of Engelbert I of Spanheim was an Eppenstein by extraction. The view that Hedwig was the sister of the last Eppenstein duke of Carinthia, Henry III (d. 1122), derives from inaccurate reading of the mid-15th century Austrian Chronicle by Thomas Eberndorfer (d. 1464).<sup>187</sup> In his account on the early Spanheims – based on an older genealogy of the house,<sup>188</sup> probably written in St Paul and today lost – Eberndorfer does not write that Henry III of Eppenstein was the uncle, *patruus*, of Henry IV of Spanheim, but that he was his baptismal godfather – *patrinus*. And this is in accordance with an account by the abbot Angelus Rumpler of Formbach (d. 1513), who leant towards humanism; the account probably derives from the same Spanheim genealogy on which Eberndorfer drew and states that Henry III of Eppenstein *levavit* Henry IV of Spanheim *de sacro fonte*.<sup>189</sup> Although August Jaksch corrected this erroneous reading of Eberndorfer in 1901,<sup>190</sup> he continued to claim in his 1928 History of Carinthia that Hedwig was the sister of Henry III of Eppenstein.<sup>191</sup> It was not until 1936 that Ernst Klebel clearly pointed out the error and thus dismissed the only argument in favour of family ties between the Eppensteins and

<sup>182</sup> Kos D. 1994, 30 ff.

<sup>183</sup> See Tyroller 1962, genealogical table 3 and 64 ff.; Störmer 1972, 165 ff.

<sup>184</sup> UBK 1, no. 15; Gradivo 3, no. 28; Tyroller 1962, 66 and no. 15.

<sup>185</sup> UBK 1, nos. 27–29; Gradivo 3, nos. 105–107; Tyroller 1962, 68 and no. 24.

<sup>186</sup> Kos D. 1994, 31.

<sup>187</sup> See Lhotsky 1963, 375 ff.

<sup>188</sup> See Jaksch 1901, 197 ff.; Die Herrschaft der Eppensteiner in Kärnten, 51 ff. and no. 69. See also Fichtenau 1938, 191.

<sup>189</sup> MC 3, p. XXIV, no. 571. On Angelus Rumpler, see Lhotsky 1963, 436 ff.

<sup>190</sup> Jaksch 1901, 200 (column E) and especially 207 ff. Equally in MC 3, no. 571.

<sup>191</sup> Jaksch 1928, 248. In his genealogy of the dukes of Carinthia (MC 4/2, genealogical table in the supplement) he also holds Hedwig to be the sister of Henry III of Eppenstein.

the Spanheims.<sup>192</sup> The only way the Spanheims may have acquired Ljubljana from the Eppensteins would have to be based on their “spiritual relationship,”<sup>193</sup> but this would require evidence that the Eppensteins really owned Ljubljana to begin with.

Ernst Klebel, however, also associated the beginnings of the Ljubljana estate property with the wife of Engelbert I of Spanheim. Even so, he assumed that she was not an Eppenstein by extraction, but from the family of the count of Friuli Werihen.<sup>194</sup> Klebel must indeed be credited for drawing attention to her Friulian family and property background, which brought the Spanheims the castles Artegna and Mossa near Gorizia, Friuli; Hedwig, the ancestress of all later Carinthian Spanheims, died in the Mossa castle soon after 1100.<sup>195</sup> Furthermore, the latest research concerning the origin and beginnings of the counts of Gorizia has shown that this lady of the high nobility, who was first married to Herman of Eppenstein (d. 1064),<sup>196</sup> also owned Gorizia, and that the first to be called after Gorizia, around 1100, was Henry (IV), the youngest son from her marriage with Engelbert I of Spanheim; Henry was to become the first duke of Carinthia from the Spanheims at a later stage (1122/23).<sup>197</sup> Klebel derived Hedwig’s hereditary Ljubljana estate from a charter of Otto III from 989.<sup>198</sup> The king issued it to confirm to the Church of Freising and its bishop Abraham the Škofja Loka estate in Carniola. Somewhere near Medvode this estate bordered with that of a certain Count Vuernhard which extended southwards into the area of the later Spanheim estate of Ljubljana.<sup>199</sup> However, in this charter, preserved only as a copy, *Vuernhardus* almost certainly is not a misspelling, as Klebel thought, of the name of the count of Friuli Werihand-Werihen, Hedwig’s ancestor, who cannot be identified with greater

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<sup>192</sup> Klebel 1936, 61. See also *Die Herrschaft der Eppensteiner in Kärnten*, 51 ff. and no. 69.

<sup>193</sup> On the significance of baptismal godparents as links between individuals, as well as families, in a society that functioned as a “Personenverband,” see Althoff 1990, 82.

<sup>194</sup> Klebel 1936, 61 ff. See also Hausmann 1977, 150 ff.; Hausmann 1984, 571; Meyer, Karpf 2000, 30 ff.; Dopsch, Meyer 2002, 337 ff.; Štih 2003, 60.

<sup>195</sup> MC 3, no. 547; Gradivo 4, no. 35. Concerning the year of her death, which both Jaksch and Kos set too late, around 1112, see Hausmann 1977, 151.

<sup>196</sup> See note 133.

<sup>197</sup> Meyer, Karpf 2000, 38 ff.; Dopsch, Meyer 2002, 351 ff.; Štih 2002, 44 ff.

<sup>198</sup> D. O. III., no. 58.

<sup>199</sup> The toponym Pirniče, a village located vis-à-vis Medvode on the other side of the Sava, probably derives from his name (*Vuernhardus-Bernhardus*): Šivic-Dular 1996, 167.

accuracy.<sup>200</sup> For linguistic reasons alone, *Vuernhardus* can only stand for *Bernhardus* – Bernhard. Furthermore, two Freising *notitiae traditionum* to which Gerald Gänser drew attention<sup>201</sup> and which must be dated to the time before 977, mention a certain *comes nomine Peranhardus*, who gifted bondsmen to Bishop Abraham.<sup>202</sup> In the second *notitia* most of them have Slavic names, suggesting that they may have been bondsmen from Bernhard's Carniolan estate. His name, title of count, connection with Bishop Abraham, further attested by a charter of Otto III from 989, and Slavic bondsmen are clear indications that the counts *Vuernhardus* and *Peranhardus* were one and the same person and cannot be equated with the Friulian count Werihen.<sup>203</sup>

Regardless of Klebel's flawed conclusions, Count Bernhard from 989 draws our attention because of the location of his Carniolan property as well as his name, since both link him to the Spanheims. Bernhard (d. 1147) was the name of one of the sons of Engelbert I of Spanheim and Hedwig; as mentioned above, he was the founder of the Cistercian monastery of Viktring, Carinthia,<sup>204</sup> and his name also appears, heading the Spanheims, in the 1126 charter of Rudolf of Tarcento. Bernhard was however a new name in the Spanheim family, and since we cannot find it among the ancestors of Bernhard's father, Engelbert I, it must have been adopted from the family or family circle of his mother Hedwig. Recent studies by Therese Meyer, Kurt Karpf and Heinz Dopsch have revealed not only that Hedwig must have belonged to the generation of grandchildren of the Friulian count Werihen, who in 1001 was granted half of Solkan, Gorizia, and a territorial complex in the valley of the Lower Vipava River,<sup>205</sup> but also that Werihen, whose name further appears in the form of Weriland (III),<sup>206</sup> belonged to the Bavarian high nobility and that he was the advocate of the monastery of St Peter in Salzburg.<sup>207</sup> His ancestors trace back via Weriland (II)

<sup>200</sup> See Meyer, Karpf 2000, 30 ff., especially 33 and the genealogical table on p. 47; Dopsch, Meyer 2002, genealogical table on p. 346.

<sup>201</sup> Gänser 1994, 88 ff.

<sup>202</sup> TF 2, nos. 1157, 1158.

<sup>203</sup> Štih 1999c, 105 ff.

<sup>204</sup> See Dopsch 1991, 59 ff.; Štih 2003, 63 ff.

<sup>205</sup> D. O. III., no. 412; see Štih 1999c.

<sup>206</sup> This leading name in his family (see the next notes) was also that of his son Weriland (IV), documented as count (of Friuli) in 1052: Sinodi Aquileiesi, 323; SS. Ilario e Benedetto e S. Giorgio, no. 9; Štih 1999c, 111.

<sup>207</sup> Meyer, Karpf 2000, 3 ff., especially 13; Dopsch, Meyer 2002, 338.

(d. ar. 987), whom we also come across in the Salzburg circles,<sup>208</sup> to Weriland (I), who as administrator of the royal possessions exercised authority, *regimen*, in Carinthia until around the mid 10th century.<sup>209</sup> He is also typically connected with Salzburg, as is confirmed by his first mention, in 927, at Karnburg, where he exchanged the village of Haus, east of Schladming, for the court of Friesach with Archbishop Odalbert.<sup>210</sup> The extensive *notitia traditionis* mentions besides Weriland's wife Adalsuind, who belonged to the Bavarian ducal dynasty of the Liutpoldings,<sup>211</sup> their four children, of which the second son was named Bernhard. This not only confirms the existence of the name Bernhard among Hedwig's ancestors, but the name, the high social position of the couple, and the wider area in which they are documented, all this suggests a possible connection between the Bernhards of 927 and 989 or, although this is hard to prove, that they may have been one and the same person. Though by a different avenue, these findings point to a possibility Klebel had already considered: that at least part of the Spanheim property in the Ljubljana Basin derived from the circle of Hedwig's ancestors or relatives.

The picture these findings create of the beginnings of the Spanheim property in the Ljubljana Basin is quite different from what historians have imagined in the past. It now seems more likely that the Spanheims did not acquire the Ljubljana property in one shot, but step by step and from different sources, completing it gradually. One part of this property obviously was the former Vohburg estate, which passed into their hands around 1100 through the marriage of Engelbert II of Spanheim with Uta, the granddaughter of Ra(t)poto IV, who is attested as landowner in the southeast of Ljubljana in 1062. A second part seems to have derived from the property Count Bernhard owned in the northwest of Ljubljana in 989. Bernhard most likely belonged to the family circle of Hedwig "of Mossa," the wife of Engelbert I of Spanheim, who also brought the Spanheims possessions in Friuli, at the middle Soča (Isonzo), and in the lower Vipava Valley. The Spanheims may have

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<sup>208</sup> Meyer, Karpf 2000, 9 ff.; Dopsch, Meyer 2002, 341.

<sup>209</sup> Weriland is last mentioned in the function of administrator of the royal possessions in 945 (*Walpoto* derives from *Gewaltbote* = *missus dominicus*); it was a continuation of the Carolingian institution of *missi* (see Dopsch 1975, 127 ff.); D. O. I., no. 67: *quasdam res proprietatis nostrae in Carantana regione sitas sub regimine Uuerianti l...l.*

<sup>210</sup> SUB 1, 118 and no. 57.

<sup>211</sup> See Gänser 1992, 91 ff.; Dopsch, Meyer 2002, 341.

acquired this part of the Ljubljana estate by way of Hedwig, either as her endowment when she married Engelbert I (around 1065/70),<sup>212</sup> or as her legacy after she died soon after 1100. A third part of the Ljubljana estate may have been acquired from Rudolf of Tarcento. The 20 farms near Ljubljana, which he donated to the chapter of Aquileia between 1112 and 1125, certainly were not the entire property he had in the area. It is quite possible or indeed likely that he also owned Ljubljana Castle at the time, as the donated farms were in its vicinity. The fact that four Spanheims – to whom we may add as a fifth Count Meinhard I of Gorizia, a nephew of Bernhard and Engelbert II, and a cousin of Engelbert III and Ulric I,<sup>213</sup> – travelled to the Soča (Isonzo) in Friuli in 1126, when Rudolf donated his property in Carnia and Friuli to the provostship of Berchtesgaden, cannot have been a coincidence. Such an eminent representation of the Spanheims, who are ranked in the first five places of the list of witnesses, reflects either their family ties, or some other very close ties the Spanheims had with Rudolf of Tarcento. Such ties are further attested by the advocacy over the Church of Aquileia that in 1125 passed from Rudolf to the count of Gorizia, Meinhard I, a Spanheim from his mother's side.<sup>214</sup> It is certainly highly probable that the meeting at the Soča (Isonzo) served to arrange other matters involving the Spanheims and Rudolf as well. The subject of these talks or negotiations may well have been Ljubljana, where the Spanheims obviously sought to round off their property.

It is indeed next to certain that the Spanheims also acquired the twenty farms in Ljubljana which Rudolf originally donated to the chapter of Aquileia. After the *Nomina defunctorum*, which contains a list of the oldest gifts to the chapter, overviews of the chapter's possessions are provided by three documents from the last quarter of the 12th century: a papal bull of Alexander III from 1176 granting apostolic protection to the chapter of Aquileia and confirming its listed and named possessions;<sup>215</sup> a charter of Emperor Frederick I Barbarossa from 1177, who also granted the chapter protection and equally confirmed its named possessions;<sup>216</sup> and an urbarial list of the chapter's property dated to

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<sup>212</sup> Klebel 1936, 51; Hausmann 1977, 151.

<sup>213</sup> See note 53 ff.

<sup>214</sup> See note 42.

<sup>215</sup> IP 7/1, 48 and no. 7; Gradivo 4, no. 572; RG 1, no. 265.

<sup>216</sup> D. F. I., no. 685.

approximately the same period.<sup>217</sup> Not one of these documents mentions that the chapter had property in or near Ljubljana. In the last quarter of the 12th century, the chapter furthermore no longer had property in some places that are mentioned in the *Nomina defunctorum*. One of these places was Skrilje in the Vipava Valley, which Herman of Eppenstein<sup>218</sup> or his widow Hedwig<sup>219</sup> gifted to the chapter of Aquileia in 1064; by 1177 it had already passed into the hands of the chapter of Cividale.<sup>220</sup> The papal and imperial confirmation grants, as well as the urbarial list, however do mention the chapter's possessions in places of which there is no trace in the *Nomina defunctorum*. Some of these possessions were quite large: the newly acquired property complexes in Ozeljan (*in Ossellan*)<sup>221</sup> and its environs in the Vipava Valley, where the chapter had 50 farms, and in Farra d'Isonzo and surrounding villages, where the chapter acquired more than 100 farms.<sup>222</sup> *Castrum quod vocatur Farra*, the first fortified settlement on the road connecting the Ljubljana Basin, the Vipava Valley, and Friuli, stood on the right bank of the Soča (Isonzo), and Emperor Otto I had given it to the patriarchate of Aquileia already in 967.<sup>223</sup> We may assume that the chapter of Aquileia acquired the property in Farra through an exchange with the patriarchate.<sup>224</sup> Exchanging properties was quite commonly practised

<sup>217</sup> Il più antico rotolo censuale, 7 ff. On an earlier dating of this document (second quarter 12th century), proposed by Saccocci 1996, 290, and based on its currency formulas, see the critical view of Baumgartner 2002, 123 and note 625.

<sup>218</sup> *Nomina defunctorum*, 396.

<sup>219</sup> Härtel 2002, 64 ff.

<sup>220</sup> Gradivo 4, no. 583a.

<sup>221</sup> *Ossellan* is Ozeljan, as assumed by Kos F, Gradivo 4, nos. 572, 584, and Kos M. 1954, 26, and not Coseano, south of S. Daniele del Friuli, as is thought by Scalon, 1982, 26, and Höfler 2001, 13 and note 5, 126. *Ossellan* cannot be identical with Coseano, but only with Ozeljan, for linguistic reasons; Ozeljan is mentioned in other medieval sources (Urbarji Slovenskega Primorja 2, 349) in practically the same form – *Oselan*, *Oslan*, *Osslan*, *Ozelan*. The property of the chapter of Aquileia in Ozeljan is attested independently from the three sources from the last quarter of the 12th century that are mentioned in the text: a legal instruction on the advocatial rights of the count of Gorizia, Meinhard II, from 1202, establishes that *in Osselano quae Aquileiensium et Civitatenium canonicorum est, habebat advocatiam* (Ausgewählte Urkunden, no. 20; RG 1, no. 319), and this is further confirmed by the 1507 urbarium of Gorizia, stating that in the Vipava Valley *capitl cinzs* was paid in Ozeljan (*Oszlon*), Šmihel (above Ozeljan) and around Skrilje, in Dobravlje, Kamnje and Potoče (*V[rbar] Gorcz*, Archivio di Stato Gorizia, Archivio Coronini Cronberg, Serie Atti e Documenti, file 257, fasc. 652, fol. 131<sup>v</sup>; See also Kos M. 1954, 27).

<sup>222</sup> For more details on the location of this property, see Kos M. 1954, p. 26 ff. For the number of farms around Farra, see Il più antico rotolo censuale, 30 ff.

<sup>223</sup> D. O. I., no. 341; see Štih 1999c, 127 ff., 141 ff.

<sup>224</sup> Scalon 1982, 27.

in this period and examples are documented for both the chapter and patriarchate of Aquileia.<sup>225</sup>

The chapter of Aquileia may have acquired the property in Ozeljan, east of Gorizia, in a similar way. The settlement draws our attention in particular because it is located within the territory granted to the patriarch of Aquileia, Johannes, and the count of Friuli, Werihen, in 1001.<sup>226</sup> Concerning the extensive property of fifty farms in Ozeljan, not all of these were located in the village, as it is far too small, but also in its close environs. Ozeljan, once the seat of an ancient parish, was but the reference name for the entire property complex owned in the area by the chapter of Aquileia,<sup>227</sup> and it may have been acquired by the chapter through an exchange with the patriarchate of Aquileia, or indeed with the Spanheims. As mentioned above, Hedwig, the wife of Engelbert I of Spanheim, belonged to the generation of grandchildren of the Friulian count Werihen, and she brought the Spanheims much property in Friuli and Gorizia, after which her son Henry, the later duke of Carinthia, was the first to be called, as well as in the valley of the Lower Vipava. The property the emperor granted to Werihen in 1001 is the source of the 20 farms in Črniče, located between Ozeljan and Vrtovin, which the above-mentioned Uta, who as the wife of Engelbert II of Spanheim was instrumental to the beginnings of the Spanheim Ljubljana estate, gifted to the provostship of Baumburg in 1135/41.<sup>228</sup> The Spanheims held the property in Črniče until 1220, when the duke of Carinthia, Bernhard II of Spanheim, donated it to the monastery of Rosazzo.<sup>229</sup> And if we now call to mind that the Spanheims gradually expanded and rounded off their property in Ljubljana, and that it must have been in the interest of the chapter to have its possessions located contiguously and as close as possible to Aquileia, it seems quite plausible that the Spanheims acquired the farms the chapter had in Ljubljana in exchange for an equal number of farms in Ozeljan; there are of course other possible explanations, for instance an exchange for some other Spanheim property in Friuli.

<sup>225</sup> Scalon 1982, 28 and note 38.

<sup>226</sup> DD. O. III., nos. 402, 412; Štih 1999c, 132 ff.

<sup>227</sup> Kos M. 1954, 27; for a different view of the ancient parish of Ozeljan, see Höfler 2001, 13 and note 5, 126, but see also note 221 of this text.

<sup>228</sup> See note 169.

<sup>229</sup> Die Gründung des Klosters Rosazzo, 629, document 1: *Millesimo CCXX dedit dux Bernhardus Karinthie villam in Zernitschach*; RG 1, no. 152.

*The Counts of Bogen and their Ljubljana Property*

The 20 farms near Ljubljana which Rudolf of Tarcento donated between 1112 and 1125 were not the only property the chapter of Aquileia had in Ljubljana. The Aquileian necrology's older version, a codex from the early 14th century,<sup>230</sup> which served the chapter as an official register for commemorating the days of death of its benefactors (*anniversarius*), contains under April 10th an entry mentioned at the beginning of this chapter.<sup>231</sup> This second record, which also refers to the earliest history of Ljubljana, tell us that on April 10th a certain Hartwig died – the name is written in the Latinised-Italianised form of *Arthuicus de \*\*\** –, who had gifted to the canons three farms in Ljubljana (*in Laybach*). Unfortunately, the entry has no reference to where this Hartwig was from, information that would be very useful for his identification as well as for dating this gift to the chapter of Aquileia. His identification is further complicated by the fact that the name Hartwig was very common in the High Middle Ages, the period under study.<sup>232</sup> The necrology of the monastery of Admont offers a possible solution: under the date of April 10th it has an entry on *Hartwicus com[es]*<sup>233</sup> to which Cesare Scalon already drew attention in his publication of the Aquileian necrology.<sup>234</sup> Because of the same name and date of death, we may assume that this Count Hartwig is identical with the donor of three farms in Ljubljana to the chapter of Aquileia. Given that the first entries in the Admont necrology were made soon after 1202, and that entries continued to be made even during mid 13th century,<sup>235</sup> the last date is also the *terminus ante quem* for the life of Hartwig, who because of the title *comes*, must have belonged to one of the families of the high nobility from the region of the Northern Adriatic and Eastern Alps, in the 12th and first half of the 13th centuries.

The Spanheims certainly are the first such family that comes to mind, because three members of successive generations carried the name Hartwig: the first, who died in 1102, was the son of the ancestor of the Carinthian Spanheims, Siegfried of Spanheim, and Richarda “of

<sup>230</sup> Archivio capitolare Udine, Codici, no. 33; *Necrologium Aquileiense*, 85 ff.

<sup>231</sup> See note 16; *Necrologium Aquileiense*, 188.

<sup>232</sup> See e.g. MC 4/2, register; Tyroller 1962, register.

<sup>233</sup> *Necrologium Admuntense*, 294.

<sup>234</sup> *Necrologium Aquileiense*, 188 and note 30.

<sup>235</sup> *Necrologium Admuntense*, 287.



Lavant;” the second Hartwig, who died in 1126, was the son of Engelbert I and Hedwig “of Mossa;” and, finally, the third Hartwig was the son of Engelbert II and Uta, the daughter of Ulric of Passau, and died in 1164.<sup>236</sup> It is however very unlikely that any of these three Spanheims was identical with the Hartwig from the Aquileian and Admont necrologies. Firstly, because the three Spanheims entered the priesthood, and as ecclesiastical princes – Hartwig I was the archbishop of Magdeburg, Hartwig II and III were bishops of Regensburg – they did not carry the title of count.<sup>237</sup> And, secondly, because not one of them died near April 10th, the dates of their death being June 17th (Hartwig I), March 3rd (Hartwig II), and March 22rd (Hartwig III).<sup>238</sup>

Our attention is therefore more readily drawn by the comital family called after Bogen in Lower Bavaria.<sup>239</sup> Hartwig was one of the leading names in this family too,<sup>240</sup> and it also had possessions and related ministerials in the territory of present-day Slovenia in the 12th century.<sup>241</sup> The first two Hartwigs in the poorly known oldest genealogy of the Bogen family obviously cannot have been identical with the Aquileian-Admont Hartwig, because they lived too early – one of them was the advocate of the cathedral (*Domvogt*) of Regensburg around 1020, the other was count in the eastern Donaugau soon after the mid 11th century,<sup>242</sup> – but Count Hartwig of Bogen from around the mid 12th century belongs to the relevant period. He was the youngest son of Count Albert II of Bogen (d. 1146), the founder of the monastery in nearby Windberg, after which he was called.<sup>243</sup> In *Historia Welforum* from the Bavarian monastery of Weingarten we read that he was married to one of the two daughters of the margrave of Istria, Count Poppo II of Weimar-Orlamünde (d. 1101), and that the second daughter was married to Berthold II of Andechs (d. 1151).<sup>244</sup> The name of the count of

<sup>236</sup> See Dopsch 1991, 60 and genealogical table V; Dopsch 1999, genealogical table on p. 311.

<sup>237</sup> See Hausmann 1994, 12, 14, 16.

<sup>238</sup> Hausmann, *ibidem*.

<sup>239</sup> Piendl 1952, 25 ff.; Piendl 1953, 9 ff.; Piendl 1954, 25 ff.

<sup>240</sup> Piendl 1952, genealogical table on p. 60–61; Tyroller 1962, 234 ff. and the genealogical table on p. 242–243.

<sup>241</sup> See Hauptmann 1929, 393 ff.; Piendl 1953, 58 ff.

<sup>242</sup> Tyroller 1962, genealogical table on p. 242–243.

<sup>243</sup> Tyroller 1962, 240 and note 17.

<sup>244</sup> *Historia Welforum Weingartensis*, 463: *ex quo genuit Poponem marchionem, qui duas filias suas unam Bertholfo comiti de Andehse, aliam Alberto comiti de Bogen copulavit*. On Poppo as the margrave of Istria (1093–1101), see Štih 2000b, 372 ff.; Würth 2002, 120 ff.

Bogen's bride was Hedwig,<sup>245</sup> after her maternal grandmother – Hedwig “of Mossa” – because the wife of Poppo II of Weimar-Orlamünde was Richarda of Spanheim, the daughter of Engelbert I of Spanheim and Hedwig “of Mossa”.<sup>246</sup> The wedding of Albert II and Hedwig, which presumably occurred after 1122 and was arranged through the mediation of the then bishop of Regensburg, Hartwig (1105–1126), the brother of Richarda of Spanheim,<sup>247</sup> thus connected the Bogen family with both the Weimar-Orlamünde and Spanheim families, that is with two families who had strong positions in terms of property and power in the southeast of the empire,<sup>248</sup> and this marriage is obviously the source of the extensive allodial possessions the Bogens had in present-day Slovene territory.<sup>249</sup>

The count Hartwig of Bogen that is of interest to us was the youngest son of Albert II and Hedwig, and his name may derive from the circle of his Spanheim relatives, to which he belonged on his mother's side. He is first mentioned in sources in 1142, in the company of his father and older brother Berthold II.<sup>250</sup> He is first mentioned on his own in a charter of the Salzburg archbishop Conrad I from October 1146, by which the latter confirmed property in Reichenhall to the Augustinian Canons of Seckau.<sup>251</sup> One year later, he already participated in the second crusade under the command of King Conrad III. Before leaving, and probably in order to finance his participation in the crusade, he first sold the family's property Dobrna, north of Celje, to the bishopric of Gurk, Carinthia, under protest of his older brother Berthold II.<sup>252</sup> Among the numerous princes from the southeast of the empire who joined the crusade was his mother's uncle, Bernhard of Spanheim, who

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<sup>245</sup> And not Liutkard, as I erroneously followed Gradivo 3, 135 and note 6, and Gradivo 5, XL, until recently (Štih 2001f, 13 and note 9). The name Liutkard is very improbable because it is not found in either the Orlamünde or Spanheim family. Hedwig, the name of the wife of Albert II, is documented in the *Traditionsbuch* of Oberaltaich and *De advocatis Altahensibus*: see Piendel, 1952, 53 ff. On Hedwig, who was first married to Herman I of Windberg-Ratelberg-Winzenburg (d. 1122), see Jungmann-Stadler 1983, 235 ff.

<sup>246</sup> Hausmann 1994, 13. Owing to this family tie, Richarda's brother, Engelbert II of Spanheim, was made margrave of Istria in 1108.

<sup>247</sup> Piendel 1952, 54; on the dating of the wedding, see Jungmann-Stadler 1983, 249.

<sup>248</sup> See Hauptmann 1929, 380 ff.; Štih 2003, 55 ff.

<sup>249</sup> See Piendl 1953, 58 ff.; Hauptmann 1935, 225 ff.

<sup>250</sup> Tyroller 1962, 244 and no. 25.

<sup>251</sup> SUB 2, no. 246 (*Hertwicus comes de Bogen*).

<sup>252</sup> UBSt 1, no. 357; Gradivo 4, no. 342.

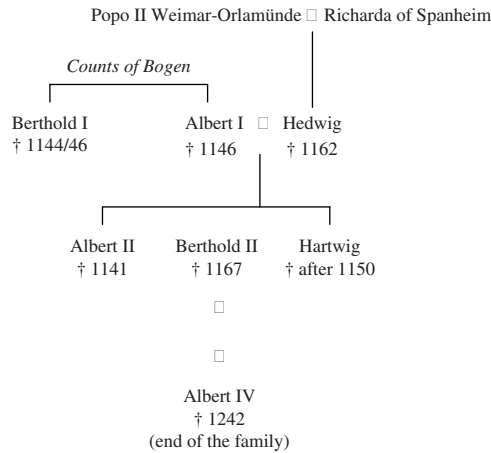


Fig. 10. The counts of Bogen (reduced genealogy).

perished in Asia Minor.<sup>253</sup> Hartwig, who is characterised in the sources as *homo pessimus* and whose violent nature is evident from the murder he committed, returned alive from the crusade, but is no longer mentioned in charters.<sup>254</sup> The reason for his absence may have been his *insanitas*, madness, reported by the writer of the history of the advocates of Niederaltach,<sup>255</sup> and which probably caused his confinement in the monastery of Windberg, where he died as a monk in an unknown year, but presumably soon after 1150.<sup>256</sup> The necrology of the Windberg monastery records April 6th as the day of his death<sup>257</sup> and the accuracy of this date is beyond doubt because it was the monastery where Hartwig died as a lay monk. Furthermore, the monastery was a foundation of Hartwig's father, Albert II, and as the family monastery of the Bogens it was particularly dedicated to preserving their *memoria*. The date does not correspond exactly to the entries in the Aquileian and Admont necrologies, but the difference is small and such differences often occurred and were nothing unusual. We may also add that the Admont necrology contains – if we ignore the questionable Hartwig – the days of death of the following members of the Bogens: Hartwig's

<sup>253</sup> See notes 96, 97.

<sup>254</sup> Piendl, 1952, 55.

<sup>255</sup> *De advocatibus Altahensibus*, 373.

<sup>256</sup> Piendl 1952, 56.

<sup>257</sup> *Necrologium Windbergense*, 390: *Hartwicus c(on)v(ersus) n(oster) ex comite ob(iit)*.

father Albert II, his mother Hedwig, and his brother Berthold II.<sup>258</sup> The monastery of Admont thus preserved the memory of Hartwig's closest relatives, and this is a further indication that the count Hartwig in the entry for April 10th is most likely the count of Bogen of the same name. And if we further take into account that the day of the death of Albert II (12. 1.) in the Admont necrology does not correspond to that of the entry in the Windberg chronology (13. 1.),<sup>259</sup> it seems highly likely that this solves the question of who really was the Hartwig in the Aquileian necrology, the benefactor of three farms in Ljubljana to the local canons; his benefaction is dated to between 1140 and 1150, the decade in which activities of Count Hartwig of Bogen are documented and in which the Spanheims, his relatives on his mother's side, are also attested as the lords of Ljubljana Castle. This nearly certain identification of the Hartwig from the Aquileian necrology with the count of Bogen of the same name further means that we should add property in Ljubljana to the extensive properties the counts of Bogen had in the environs of Preddvor, in Dobrna, Krško, Raka, Ribnica, and Vipava in present-day Slovenia in the 12th century.<sup>260</sup>

### *Conclusions*

Two at first sight modest records of Aquileian memorial provenance have thus proved to be a highly valuable starting-point for new insights into the history of the Ljubljana Basin, and with it the central part of the Slovene territory, in the second half of the 11th and first half of the 12th centuries. Due to their plainness and the nature of the sources they may not provide as much hard evidence as we would like, but the image of the period and area under study proves to be much more diverse than we used to think. They have led us to a whole range of owners and holders of property from the high nobility. Most of them – like the counts of Vohburg, the counts of Bogen, Anzo who was associated with Salzburg, Rudolf of Tarcento, or his presumed father Rudolf of Margarethenried, as well as Engilbero “of Carniola,” who was connected with the latter two, and who was the ancestor of the *Freiherren*

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<sup>258</sup> Necrologium Admuntense, 289, 293, 307; see also Piendl 1952, 54 ff.; Tyroller 1962, 240 ff.

<sup>259</sup> Necrologium Windbergense, 384.

<sup>260</sup> Hauptmann 1929, 393 ff.; Hauptmann 1935, 225 ff.; Piendl 1953, 58 ff.

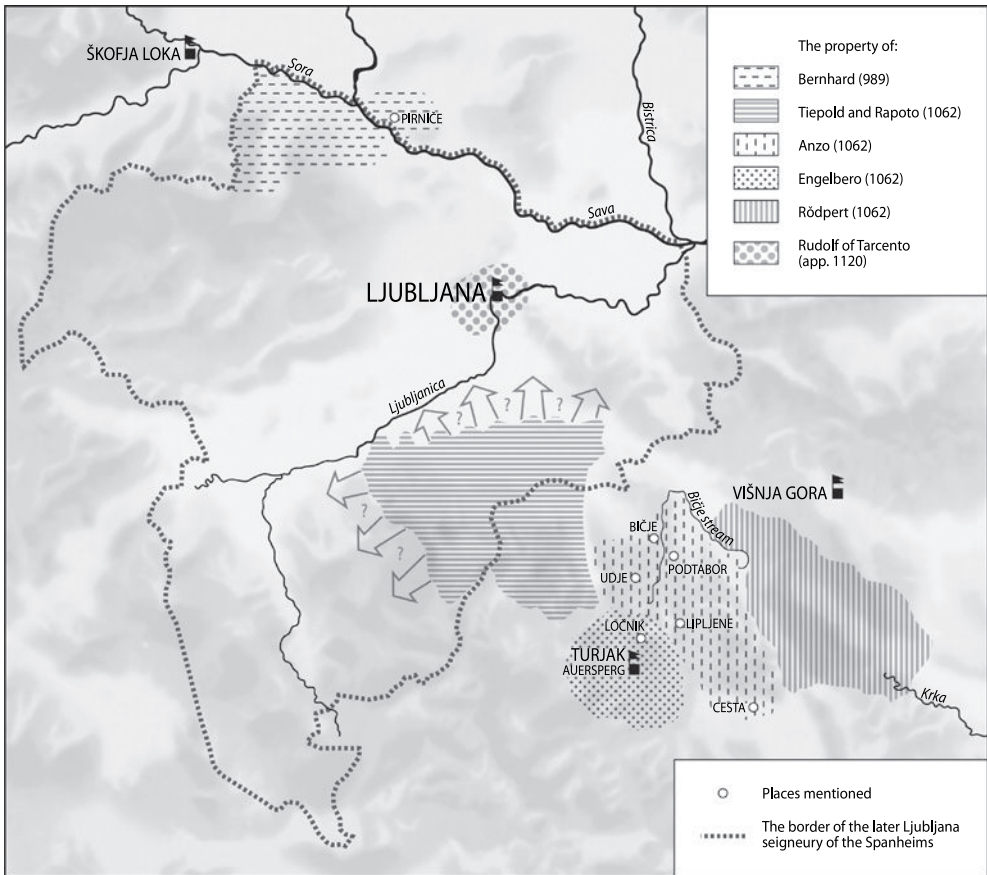


Fig. 11. Map of the early property structure in the environs of Ljubljana.

of Auersperg, and, finally, Count Bernhard from the circle of the ancestors of the Friulian count Werihen-Weriand and Hedwig “of Mossa” – came to this area from Bavaria, where the centres of their property and power were located; at the same time, however, they sought expansion in the area under study, located on the fringes of the empire. They were not the only ones, though: the chapter of Aquileia and a certain Roudpert, of whom we know very little and whose name also points northwards, owned property in the wider environs of Ljubljana. Some, among others Engilbero of Auersperg, made it their new homeland; others, like the counts of Vohburg, Anzo, Rudolf of Tarcento, and the chapter of Aquileia as well, soon found better opportunities to achieve their interests elsewhere and gave their possessions away, sold or exchanged them, or ceded them to their relatives. The Carinthian Spanheims certainly benefited most from these property changes. In the first half of the 12th century, they gradually and from different sources rounded off their Ljubljana estate and asserted themselves as the most important landlords in the area. By latest in the decade preceding the middle of the 12th century, they owned Ljubljana Castle as well, the centre of the Ljubljana Basin, otherwise first mentioned between 1112 and 1125, the time when it probably belonged to the advocate of Aquileia, the nobleman Rudolf of Tarcento from the house of the lords of Machland.

## CHAPTER SIXTEEN

### THE COUNTS OF GORIZIA AS *DOMINI TERRAE* IN GORIZIA, CARNIOLA, AND ISTRIA

Carniola spread to its largest area in the first half of the 16th century. Besides Carniola proper, which consisted of Upper Carniola, the Ljubljana Basin, Inner Carniola, and part of Lower Carniola, it then included the “adjoined lordships” (*angereichte Herrschaften*) of the county in the March and Metlika, the Karst, and Istria.<sup>1</sup> Even the Triestians, who so jealously guarded their autonomy that Emperor Frederick III released them from attending the assemblies of the *Land* of Carniola in 1491, felt threatened by the war of Emperor Maximilian I against Venice (1508–1516/1521), and considered themselves Carniolans to the extent that they again started to attend the *Land*’s assemblies on their own initiative, requesting military and financial assistance and even willing to pay taxes again.<sup>2</sup> When Emperor Charles V, in the partition treaty of Worms from 1521, assigned to his brother Ferdinand I the both Austrias, Styria, Carinthia, and Carniola, but excluded from the latter all the adjoined lordships and subjected them to his own lordship together with Trieste, Gorizia, and the territories acquired in the Venetian war, the Carniolan Estates refused to pay homage to the new prince, Ferdinand I, because they did not agree with the division of the Duchy of Carniola.<sup>3</sup> In their complaint they demanded not only the Slovene March, Istria, and the Karst to be rejoined with Carniola, but even voiced their expectation that the sovereign would expand Carniola with Gorizia and seigneuries in Friuli, because it was they, the Carniolans, who had occupied and held on to the county of Gorizia, Gradisca d’Isonzo, and other places in Friuli during the Venetian war,

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<sup>1</sup> It was an official term, used by the Carniolan Estates as well as the prince of the *Land*. See Deželnozborski spisi 1, no. 54; 2, nos. 160, 163, 167; AS, ZL, 1564, IV. 29., Ljubljana; charter of Archduke Charles V: /.../ *ainer gannzen ersamen lanndschaft sambt derselben angeraichten herrschafften der Winndischen March, Mettling, Isterreichs und Charst*.

<sup>2</sup> *Ausgewählte Urkunden*, no. 228; Deželnozborski spisi 1, nos. 35, 45; 2, no. 163. On the territorial development of Carniola in the 15th and 16th centuries, see especially Hauptmann 1929, 444 ff.

<sup>3</sup> Burkert 1987, 127; Vilfan 1994, 247.

and not by any chance the Tyroleans or Upper Austrians.<sup>4</sup> Although these expectations were too high, the Treaty of Brussels from 1522 re-established Carniola within its old borders, while all the other territories in the south of Habsburg's hereditary lands, which Charles V had initially kept for himself, fell to Ferdinand.<sup>5</sup>

The county of Gorizia, which came under Habsburg rule as a special *Land* only after the death of the last count of Gorizia, Leonhard, in 1500, had too strong traditions and a far too well-established autonomy to become part of Carniola. To the contrary, the county was enlarged with the Habsburg acquisitions from the Venetian war at the upper and lower courses of the Soča (Isonzo) and continued to exist until 1918 as a special entity in Austria's constitutional system in the form of a Crown Land (*Kronland*).<sup>6</sup> Traces of its statehood have been preserved to the present day in the autonomy the *Provincia di Gorizia* enjoys within the *Regione Friuli-Venezia Giulia* in Italy.

Moreover, the major part of the adjoined lordships that enlarged Carniola equally derived from the inheritance of the counts of Gorizia. The county in the (Slovene) March and Metlika, which occupied large areas of Lower Carniola and White Carniola, as well as Istria, or rather the county of Pazin in Istria, occupying the peninsula's interior and eastern coast in the Kvarner Gulf, had developed into two *Länder* of the counts of Gorizia in the 14th century, and both retained their territorial independence after they were inherited by the Habsburgs in 1374.<sup>7</sup> They merged with Carniola only in the early 16th century, when the nobles of the county in the March and Metlika and the county of Istria for the first time resolutely defended the territorial unity of enlarged Carniola because of the partition treaty of Worms. Nevertheless, how deep rooted and enduring the traditions of the two Gorizia *Länder* were is evident from the fact that Archduke Charles II, the prince of the Inner Austrian *Länder*, confirmed the *Land's* privileges to Carniola,

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<sup>4</sup> AS, Stanovski arhiv, box 317, 1521, VII. 15., Ljubljana; Burkert 1987, 111 ff.; Vilfan 1994, 248 ff.

<sup>5</sup> Hauptmann 1929, 449; Vilfan 1994, 251. CDI 5, no. 1528: with this document d.d. April 3, 1522, made in Brussels, Charles V informs the doge of Venice on the division, listing the duchies and territories he has assigned to his brother Ferdinand: */.../ eidem fratri nostro pro portione sua, Archiducatum Austrie supra et infra Anasum, preterea Styriam Carinthiam et Carniolam cum omnibus suis pertinenciis atque Comitatu Goricie, et urbibus Tergesto, Gradisca et Marano et aliis dominiis adiacentibus /.../ assignavimus et tradidimus.*

<sup>6</sup> Czoernig 1873, 719 ff.; Mell 1929a, 257 ff.

<sup>7</sup> Štih 1999e, 123 ff.; Štih 1994b, 55 ff.



separately for the county in the March and Metlika and for Istria, with three charters (*Handfeste*) as late as 1557. Emperor Rudolf II, the guardian of Charles's under-age son Ferdinand II, was the first to confirm the privileges of Carniola and the two former *Länder* of the counts of Gorizia together in a single charter, issued in Prague in 1593.<sup>8</sup>

The importance of the counts of Gorizia to the constitutional, legal and territorial development in present-day Slovene territory was thus much greater than is usually thought, and the heritage they left behind has been partly preserved to the present day in the name of the province on the Soča (Isonzo) (on both the Slovene and Italian sides of the border). What is interesting and surprising at the same time is that the Slovene historical consciousness has not retained the counts of Gorizia in its memory. They strongly differ in this respect from the counts of Cilli, who unlike the counts of Gorizia left practically no traces in the territorial development of the Slovene territory, but are nevertheless linked to the mythical Slovene statehood in the Middle Ages, and therefore occupy the highest place in the historical consciousness of the Slovenes, comparable to the status Carantania enjoys.<sup>9</sup>

As princes of the *Land*, the counts of Gorizia are connected with yet another phenomenon. The vast dominion of the counts of Gorizia of the Albertiner branch, which in 1271 extended from present-day East Tyrol and Upper Carinthia, across the Soča (Isonzo) Basin, Friuli, and the Karst to inland Istria, and across Carniola to the Croatian border on the Kolpa, never developed into a single, united *Land*. Due to the great distances and fragmented possessions no less than four *Länder* emerged from this single dominion, and if we count in Tyrol, ruled by the Meinhard branch of the counts of Gorizia after 1271, even five *Länder*. The East Tyrolean and Upper Carinthian seigneuries of the counts of Gorizia started to develop into the "Outer County of Gorizia" (*Vordere Grafschaft Görz*) centred in Lienz. At the middle course of the Soča (Isonzo) the "Inner County of Gorizia" (*Hintere Grafschaft Görz*) emerged, centred in Gorizia; the complex of Gorizian properties in Lower Carniola and White Carniola evolved into the "County in the March and Metlika" (*Grafschaft auf der March oder in der Metlik*), centred in Metlika; and the properties in interior Istria into the "County of Pazin" (*Grafschaft zu Mitterburg*), centred in Pazin.<sup>10</sup> This specific

<sup>8</sup> Levec 1898, 291 (nos. 43–45), 292 (no. 50).

<sup>9</sup> See Štih 1999h, 12 ff.

<sup>10</sup> For basic literature, including further bibliographical data, on the formation of the *Länder* of the counts of Gorizia, see: Werunsky 1894, 444 ff., 480 ff.; Leicht 1922,

development, unique in the area of the Eastern Alps, was also reflected in the structure of Gorizia's territorial administration, which had not one, but four captains, deputies of the prince, in the first quarter of the 14th century: in Lienz, Gorizia, Metlika, and Pazin.<sup>11</sup>

*The Origin and Beginnings of the Counts of Gorizia*

The origin of the counts of Gorizia, who played one of the leading roles in the Alpine-Adriatic region and at the meeting point of Italy and Germany, the two principal parts of the Holy Roman Empire in the High and Late Middle Ages, was until recently one of the major unsolved problems of older Gorizian history. Research carried out in particular by Kurt Karpf, Therese Meyer, Heinz Dopsch and Reinhard Härtel has more or less solved the issue.<sup>12</sup> The typical name of Meinhard or Meginhard in the family of the counts of Gorizia, as well as their ancient property around Lienz in present-day East Tyrol, leads us to the upper valley of the Drava, where we come across a certain Meginhard as the advocate of the Bishop of Brixen before the end of the 10th century. More likely than not, he is identical with Count Meginhard from Gliching near Munich, and genealogical research positions him in the mighty Bavarian noble family of the counts of Andechs-Diessen.<sup>13</sup> This Meginhard is generally accepted to be the first known ancestor of the later counts of Gorizia, and his story is in many ways typical of the contemporary Bavarian nobility, seeking and finding opportunities to expand their property and enrich themselves in the empire's south: in Carinthia, Carniola, Friuli, and even Istria. His son of the same name, whom we can trace in the sources from 1025 onwards, administered a county in the area of Lienz, which had originated from the division of the old county of Lurn. Lists of witnesses in which he is mentioned document that Meginhard II succeeded in becoming socially integrated in the group of noble families that had assumed leading positions south of the Alps. He had particularly close ties with the most powerful Carinthian noble family – the Eppensteins. But we also come across

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137 ff.; Vergottini 1926–1927, 31 ff.; Wiesflecker 1936; Veider 1939; Brunner 1965, 218 ff.; Štih 1987, 41 ff.; Štih 1994b, 55 ff.; Štih 1999h, 128 ff.

<sup>11</sup> Štih 1996, 209 ff. and 215–216.

<sup>12</sup> Dopsch 2000b, 1 ff.; Meyer, Karpf 2000–2001, 34 ff.; Dopsch, Meyer 2002, 293 ff.; Härtel 2002, 1 ff. Härtel 2003, 44 ff.; Štih 2002b, 27 ff.

<sup>13</sup> Dopsch, Meyer 2002, 296 ff.

Meginhard II at the Diet of Verona in 1027 in the vicinity of Patriarch Poppo of Aquileia, and shortly before his death in 1063 or 1064 he is attested in Aquileia itself together with his son of the same name.<sup>14</sup>

Meginhard III, mentioned in the sources with the cognomen *Albus*, not only succeeded his father in the county of Lurn, but is also documented as a *miles* of the Aquileian patriarch Sigehard in 1072.<sup>15</sup> This in other words means that the Meginhard ancestors of the counts of Gorizia were already vassals of the Church of Aquileia. But more important to the future property, lordship, and social position the counts of Gorizia occupied as early as the 12th century were the marriages of Meginhard III to two daughters of the high nobility, as they were instrumental to the family's fast rise. He was first married to a daughter of unknown name of the founders of the monastery of Millstatt in Carinthia – the Bavarian count palatine Aribo II and his wife Luitgard from the Sigehard dynasty. His son Engelbert I brought this typical name of the Sigehards to the house of the Gorizians. Because the only son of Aribo II and Luitgard died before his father, his position was taken over by Aribo's only grandson Engelbert I, who assumed the positions of Bavarian count palatine as well as advocate of the monastery of Millstatt.<sup>16</sup>

Meginhard III's second marriage, at a rather advanced age, with Countess Diemut from the family of the Carinthian Spanheims had even further reaching consequences for the Meginhard family from Lurn. With this marriage, the Meginhard family established family ties with another leading noble family from the Alpine-Adriatic area, and great prospects now lay ahead of them. They were superbly exploited by the only son born to Meginhard III and Diemut, known in history as Meinhard I, the first count of Gorizia, although he was probably never called after Gorizia during his lifetime.<sup>17</sup> He is attested as the advocate of the Church of Aquileia already in 1125.<sup>18</sup> After him, this most important office remained in the hands of the counts of Gorizia for several centuries and gave them the opportunity to achieve the position of princes of the *Land*. Meinhard I, who was from a Carinthian ducal family on his mother's side, was not only a representative of a

<sup>14</sup> D. Ko. II., no. 92; Härtel 2002, 64 ff. (publication of the charter from 1063/64).

<sup>15</sup> SUB 1, 773 and no. 1b; see Štih 2002b, 32.

<sup>16</sup> Dopsch, Meyer 2002, 309 ff.

<sup>17</sup> Härtel 2002, 43 ff.

<sup>18</sup> CDI 1, no. 128. On the dating of this charter, see Štih 1996, 11 and note 11.

new generation, but also the ancestor of a new dynasty, connected with a new identity and the establishment of new traditions, combining the Meginhard, Spanheim, Aribo, and Sigehard roots of his ancestors and relatives. When Meinhard's half-brother, the Bavarian count palatine Engelbert I died childless around 1120, his inheritance, including first and foremost the advocacy over the Millstatt monastery, also fell to the counts of Gorizia: it was inherited by Meinhard's son Engelbert II, named after his uncle.<sup>19</sup>

In the same way as the marriage of Meginhard III into the family of the founder of the Millstatt monastery brought the counts of Gorizia the Aribo-Sigehard inheritance in Carinthia, his marriage to Diemut of Spanheim brought them Gorizia, which derived from the inheritance of the count of Friuli, Werihen. Emperor Otto III had indeed granted the Church of Aquileia and Count Werihen of Friuli an extensive territory in the lower Vipava Valley and at the middle Soča (Isonzo) with two gifts in 1001.<sup>20</sup> The two recipients then at least on parchment divided between themselves Gorizia, which is mentioned for the first time in history as *villa que Sclavorum lingua vocatur Goriza*. One of Werihen's descendants and heirs in the second generation was Hedwig, who in her second marriage, which she entered into some time after 1064, was the wife of Engelbert I of Spanheim, the founder of the Benedictine monastery of St. Paul in Carinthia. All the later Carinthian Spanheims were descendants from this marriage of Hedwig and Engelbert I. Hadwig's youngest son Henry was the first of his family to become duke of Carinthia in 1122, and the Spanheims then remained the dukes of Carinthia until 1269.<sup>21</sup> Hedwig spent her old age as a widow at Mossa Castle, where she died soon after 1100.<sup>22</sup> In the immediate vicinity of Mossa, but on the other bank of the Soča (Isonzo), stands Gorizia Castle, after which her youngest son, Henry of Spanheim (*Heinricus de Gorizia*), was the first to be called around 1100, and it is therefore highly likely that it was he who had the castle built.<sup>23</sup> The Spanheims obviously acquired Gorizia from the inheritance brought into her marriage with Engelbert I by Hedwig, deriving from Count

<sup>19</sup> Dopsch, Meyer 2002, 309 ff., especially 315 ff.

<sup>20</sup> DD. O. III., nos. 402, 412; see Štih 1999c.

<sup>21</sup> See Štih 2003, 60 ff.

<sup>22</sup> MC 3, no. 547.

<sup>23</sup> MC 3, no. 532; UBK, no. 67. See Meyer, Karpf 2000–2001, 71 ff.; Dopsch, Meyer 2002, 351 ff.; Štih 2002b, 43 ff., especially 46 ff.

Werihen of Friuli; by way of Henry's sister Diemut, who was married to Meginhard III *Albus*, Gorizia then fell to their son Meinhard I, the ancestor of the new dynasty of the counts of Gorizia.<sup>24</sup>

*The Formation of the County of Gorizia and the Rise  
of the Gorizian Counts*

When the first Meinhards started to carry the title *com(it)es de Goricia*<sup>25</sup> in the period shortly before the mid 12th century, no county of Gorizia existed yet. Gorizia belonged to Friuli at the time,<sup>26</sup> and comital lordship had been exercised by the patriarch of Aquileia since 1077.<sup>27</sup> A special county of Gorizia had yet to develop from the properties and rights the counts of Gorizia had in Friuli and elsewhere. A *comitatus (et dominium) Goricie* is first mentioned in the partition agreement of the counts of Gorizia from 1271 as the part falling to Albert I, while Meinhard IV obtained the county of Tyrol (*comitatus [et dominium] Tyrolense*).<sup>28</sup> The notion of a county of Gorizia, obviously introduced as an equivalent to the existing county of Tyrol in the division of properties and rights, referred to all the properties and rights the house of Gorizia had east of Mühlbacher Klause (in present-day South Tyrol) in Carinthia, as well as in Friuli, Istria, and Carniola. Relying on the power of this vast dominion, manifested also by the numerous group of their own ministerial nobility, the counts of Gorizia strove to establish their own position of princes.

In Friuli these aspirations above all meant confrontation with the patriarch of Aquileia, who wanted princely lordship for himself, based on the rich seigneuries and especially the numerous sovereign privileges the Church of Aquileia had been granted from the Carolingian era onwards.<sup>29</sup> In order to assert their princely lordship the counts of Gorizia had to detach Gorizia and the territories at the middle Soča (Isonzo) and in the Vipava Valley, where the counts already had a

<sup>24</sup> Dopsch, Meyer 2002, 358.

<sup>25</sup> Härtel 2002, 41 ff., 63.

<sup>26</sup> Between 1070 and 1080 a certain Henry, *nobilissima prosapia ortus*, donated to Bishop Altwin of Brixen properties located *in regno Italico <in> comitatu Foriulanense <in> loco Goriza aliisque locis ibidem circumiacentibus*; TB, no. 240; RG 1, no. 101.

<sup>27</sup> See Schmidinger 1954, 62 ff.

<sup>28</sup> MC 5, nos. 72, 73; RG 1, nos. 866, 868. See also Štih 1996, 61 and note 308.

<sup>29</sup> Schmidinger 1954, 56 ff., 90 ff., 125 ff.

contiguous complex of seigneuries,<sup>30</sup> from Friuli. Their hereditary advocacy over the Church of Aquileia was the centrepiece of their strategy to achieve this objective, because it provided them with the means to start appropriating rights in the judiciary, to which they were otherwise not entitled.<sup>31</sup> How important an instrument of power they had in their hands is evident from the decision of Emperor Frederick II from 1238, prohibiting the vassals of the Church of Aquileia in Istria and Friuli from interfering with matters of high justice under the pretext of advocacy without the patriarch's explicit permission or order.<sup>32</sup> There is no doubt that this decision was aimed in particular against the counts of Gorizia. Already before the mid 12th century, Engelbert II had exploited his position of advocate in a predatory manner against the Church of Aquileia and its patriarch Pelegrin I, whom he even held prisoner for some time. The agreement of Ramuscello in Friuli from 1150, enforced upon Engelbert II by the margrave of Styria and other powerful vassals of the Church of Aquileia, denounced this act of violence as sacrilege.<sup>33</sup> In the feuds with the patriarchs of Aquileia, which became more or less a family tradition, the counts of Gorizia acquired new seigneuries and gradually legalised these acquisitions by way of coercion. Meinhard II, for instance, exploited the feud between the Church of Aquileia and the town of Treviso in the early 13th century to coerce the patriarch to revise the agreement from 1150, which had largely restricted his advocatial rights and revenues. With the new settlement from 1202, Meinhard ensured that the patriarch recognized all the properties the house of Gorizia had *sive iuste sive iniuste* from the Church of Aquileia around 1185, receiving the castles of Gorizia and Moosburg in Carinthia in hereditary fief in the male and female lines, to be restored to the Church of Aquileia only in case of extinction of the counts of Gorizia. Furthermore, the comital ministerials who resided in Gorizia were explicitly exempted from feudal dependence on the patriarch, unlike the ministerials in Moosburg, which the count of Gorizia had to recognize as a fief of the Church of Aquileia.<sup>34</sup>

With this agreement, the counts ensured that the rights of Aquileia to Gorizia were so strictly limited that they were practically irrelevant.

<sup>30</sup> See Kos M. 1954, 24 ff.

<sup>31</sup> For details, see Werunsky 1898, 499 ff.; Schmidinger 1954, 76 ff.; Sgubin 1963, 95 ff.; Huges 1963, 109 ff.; Wakounig 2000, 339 ff.

<sup>32</sup> CDI 2, no. 271; RG 2/1, no. 473.

<sup>33</sup> MC 3, no. 900; RG 1, no. 230.

<sup>34</sup> MC 4, no. 1524; RG 1, no. 317.

The agreement almost completely severed the ties between the Gorizia seigneurie and the patriarchate, and this was also reflected by the market rights granted to Gorizia in 1210. The count of Gorizia received them directly from Emperor Otto IV, not from the patriarch, who had the exclusive right to grant market rights in his territory, a right confirmed to him by Emperor Frederick II in 1214.<sup>35</sup> The princely status of the counts of Gorizia in their territories was further strengthened by the various regalian rights they held. These included besides minting, mining, and customs rights, especially the right to escort (*Geleit*): according to an agreement with the Aquileian patriarch Berthold from 1234, the counts of Gorizia were entitled to escort on the road connecting Carinthia and Friuli across the Plöckenpaß (Passo di Monte Croce).<sup>36</sup>

The rise of the counts of Gorizia in this period is further marked by the marriage of Meinhard III to the daughter of the last count of Tyrol, Albert III, which had a decisive impact on the further development of the house of Gorizia and finally, in 1271, led to the first partition of the dominion and house of Gorizia. Unlike Meinhard IV, under whose princely lordship Tyrol developed into a *Land*, and who became a prince of the empire after obtaining the title of Duke of Carinthia in 1286, his brother Albert I could not pride himself on similar successes.<sup>37</sup> Even so, it was Albert I whose strategies aimed at expanding the dominance of the counts of Gorizia to Carniola, Istria, and Friuli, laid the foundations on which the Albertiner line of the counts of Gorizia, led by his son Henry II, achieved its biggest power and the Gorizian dominion its greatest extent in the first quarter of the 14th century. Henry II, who was appointed imperial deputy in Padua and Treviso, as well as captain-general for life in Friuli, practically ruled from the Brenta River in Venetia in the west to the Kolpa River at the Croatian border in the east. Under his rule, an administrative reform was carried out and besides the court offices of the counts of Gorizia, whose beginnings trace back to the time around the mid 12th century, captaincies were established in Lienz, Pazin, and Metlika, which had the nature of a *Land's* offices.<sup>38</sup> His death in 1323 threw the *Länder* and house of Gorizia into a crisis from which it was never to recover. It marked the

<sup>35</sup> RG 1, no. 355; Štih 2002a, 54 ff.

<sup>36</sup> RG 1, no. 459. See Štih 1996, 28 ff.

<sup>37</sup> Wiesflecker 1955; Riedmann 1995, 27 ff.; Baum 2000, 80 ff.

<sup>38</sup> Štih 1996, 33 ff., 194 ff.; Baum 2000, 169 ff.

beginning of a long period of guardianship over his recently born son, and a special captain for the entire county of Gorizia was appointed, seated in Gorizia. He was the prince's deputy and had – as it is worded in a charter from 1325 – “full authority in all matters.”<sup>39</sup>

The Gorizian dominion was again divided between three brothers in 1342.<sup>40</sup> The oldest, Albert III, received the Gorizian properties in Istria and Carniola, Meinhard VI and Henry III the properties in Carinthia and the Soča (Isonzo) Basin, including the Karst. This created two separate dominions and each went their own way. Albert's dominion was inherited soon afterwards, in 1374, by the Habsburgs, while Gorizia proper remained with the counts of Gorizia until their extinction in 1500, when it equally fell to the Habsburgs. The position of the princes of the empire was granted to the counts of Gorizia of the Albertiner branch much later than to their relatives of the Meinhardiner line. One of the probable reasons was the fact that, being Carinthian counts palatine, they were vassals of the duke of Carinthia<sup>41</sup> until the time King Wenceslas of Luxemburg granted them the county palatine in Carinthia as an immediate imperial fief in 1398 in the context of his anti-Habsburg policy.<sup>42</sup> Nevertheless, Emperor Charles IV addressed the count of Gorizia, Meinhard VI, whom he had appointed his councillor, as “prince of the Roman Empire” already in 1365.<sup>43</sup> This formal elevation was undoubtedly again part of Luxemburg's strategy against the Habsburgs, who had annulled the engagement of Leopold III of Austria and Catherine, the daughter of the count of Gorizia, Meinhard VI; the offended father joined the camp of the duke of Bavaria and

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<sup>39</sup> HHStAW, AUR, 1328, V. 18., Gries: *Quod nos* [Henry, the duke of Carinthia] *tamquam tutor patruelis nostri dilecti Johannis Heinrichi, spectabilis comitis Goricie, nobilem virum fidelem nostrum Hugonem de Duyno fecimus et constituimus capitaneum super totum comitatum Goricie, in contratis Forijulii, super Charsti et Istria ita, quod ipse tamquam verus capitaneus in omnibus plenam habeat potestatem. Et huius officii causa sibi annis singulis ducentas marcas solidorum Aquilignensis monete dare et soluere tenebimur de bonis comitatus predicti, mandantes universis nobilibus, civibus atque singulis hominibus dicti comitatus firmiter et districte, quaetenus eidem Hugoni tamquam eorum capitaneo omnimodam debeant obedienciam exhibere.*

<sup>40</sup> MC 10, no. 161.

<sup>41</sup> First documented in 1286, when Count Meinhard IV of Gorizia was enthroned duke of Carinthia and granted his brother Albert I the Carinthian palatinate in fief; MC 6, no. 26. In 1339, the counts of Gorizia received the Carinthian palatinate in fief from Duke Albrecht II; MC 10, no. 114.

<sup>42</sup> Coronini 1759, 401. In 1415 Wenceslas' s son, emperor Sigismund of Luxemburg, again granted the counts of Gorizia the Carinthian palatinate (as well as the county of Gorizia) as immediate imperial fiefs; *Ausgewählte Urkunden*, no. 169.

<sup>43</sup> *Regesta imperii* 8, no. 4128; see also Czoernig 1873, 594 ff.; Werunsky 1898, 491.



emperor and married his daughter to John of Wittelsbach in 1372.<sup>44</sup> He appointed the two newly-weds his universal heirs with the consent of the nobles of the county of Gorizia, who on this occasion are first referred to as territorial nobles (*lantherren*). The nobility of the county of Gorizia thus already acted as a class corporation (Estates) as early as the late 14th century when their permission was required for the introduction of an extraordinary tax.<sup>45</sup>

The nobility of the county of Gorizia was never granted a privilege of the kind that Count Albert III of Gorizia bestowed separately on his nobles in the county in the March and Metlika and those in Istria in 1365.<sup>46</sup> With these privileges, which gained the importance of a fundamental charter of the *Land's* constitution, Albert III confirmed to the nobles their rights. These rights, fixed in two in content equal privileges, were however used as common law in the county of Gorizia as well, as is documented by the instructions the Estates of Gorizia issued to their envoys, sent to the new count of Gorizia and prince of the *Land*, Emperor Maximilian I, in 1500.<sup>47</sup>

Guarantee clauses in charters otherwise show that the law of the *Land* in Gorizia was identical with that of Friuli.<sup>48</sup> The law of the *Land* Friuli (*Constitutiones patriae Foriulii*), has been preserved in a slightly modified German translation in a copy from the 16th century; it was codified by the patriarch of Aquileia Marquard in 1366, and it appears to have been in use in Gorizia as well in the 15th century, although this is not quite certain.<sup>49</sup> In 1456, Count John of Gorizia issued a territorial law in Lienz that was to apply *hievornd dorinne ze lande zu Görz* – an attempt to merge the inner and outer counties of Gorizia into one *Land*.<sup>50</sup> The attempt was however in vain, because the counts of Gorizia lost nearly all their Carinthian properties after their defeat in the struggle for the inheritance of the counts of Cilli, who died out in 1456, and

<sup>44</sup> Baum 2000, 210 ff.

<sup>45</sup> See details in Štih 1996, 185 and notes 1213, 1214.

<sup>46</sup> Ausgewählte Urkunden, no. 120; CDI 3, no. 774. See Štih 2002, 188 ff.

<sup>47</sup> Coronini 1977, appendix no. 15. The emperor among others (presumably) confirmed: *Zum dritten ain freyhait von graff Albrechten, der zue Ysterreich unnd zue Görz herr ist gewesen unnd denn von Ysterreich ain freihait geben, des sich ain landschaft zw Görz albeggen gepraucht haben*; Regesta Imperii 14, no. 14134.

<sup>48</sup> TLA, Pestarchivakten I 35, fol. 45 (charter d.d. 1340, III. 15.): *nach landes recht umb Gortz und in Vrioul*.

<sup>49</sup> Gnirs 1916; Leicht 1948, 261 ff.

<sup>50</sup> Wiesflecker 1936, 152 ff.; Brunner 1965, 220 and note 2.

the Peace of Pusarnitz, which they were forced to conclude with Emperor Frederick III in 1460.<sup>51</sup>

*The Formation of the County of Pazin in Istria and the Charters  
of Privileges from 1365*

The formation of the county of Pazin in Istria, which developed as a special *Land* of the counts of Gorizia in the peninsula's interior, caused Istria politically to split in two parts; together with the more or less contemporary acquisition of the coastal towns by the Venetian Republic, both developments were largely to the detriment of the patriarchate of Aquileia. This political disunion then marked the history of the peninsula for nearly half a millennium and was overcome for the first time only in the late 18th century when Napoleon abolished the Venetian Republic, and the coastal belt in the early 19th century came under Austrian rule.

The counts of Gorizia made their decisive move in Istria in the late 12th century. Earlier, they had held the tithes of Izola in fief from the bishops of Trieste, but they donated them to the nunnery of St Mary in Aquileia in 1166.<sup>52</sup> In the late 12th century they also acquired part of the "fief of St Apollinaris," held in Pula and its environs by the archbishopric of Ravenna.<sup>53</sup> But at Pazin Castle, the centre of the Gorizian properties in Istria, another count had his seat as late as 1183. This was Meinhard, *comes Histrie* and the advocate of the bishopric of Poreč, who was also called after Črnigrad (Schwarzenburg) in Istria and Šumberk in Carniola. He was related to the Aquileian patriarch Ulric II (of Treffen) and his ancestors probably included the two Adalberts from the late 11th and early 12th centuries who are connected with the beginnings of the counts of Ortenburg in Carinthia.<sup>54</sup> Meinhard's daughter Mathilde married Count Engelbert III of Gorizia<sup>55</sup> and this marriage brought the house of Gorizia not only the advocacy over the bishopric of Poreč and the associated large Pazin fief, but also property

<sup>51</sup> MC 11, no. 340; Fräss-Ehrfeld 1984, 588 ff.; Baum 2000, 241 ff.

<sup>52</sup> CDI 1, no. 146; RG 1, no. 250.

<sup>53</sup> Benussi 2004, 443 ff.

<sup>54</sup> Hauptmann 1935, 223; Hauptmann 1929, 398 ff.; Franceschi 1926, 40 ff. On the beginnings of the Ortenburgs in Carinthia: Meyer, Karpf 2000, 491 ff.

<sup>55</sup> Count Engelbert III of Gorizia was first married to Mathilde of Andechs, later to Mathilde of Schwarzenburg-Šumberk, countess of Pazin: Scheiber 1947–1949, 58 ff.; Štih 1996, 162 and note 1092.

in Upper Carniola and the important seignury and territorial court of Šumberk in the Slovene March in Lower Carniola.<sup>56</sup> It was this property which finally opened up Istria and Carniola to the counts of Gorizia, and it was this core property which started to develop separately into the county of Pazin and the county in the March and Metlika.

By at the latest 1194 the counts of Gorizia were already the advocates of the bishopric of Poreč and in possession of Pazin Castle. It was from this castle, where they had their *palatium*, later the seat of their nobility's court and captaincy, and to which they immediately moved their ministerials,<sup>57</sup> that the counts of Gorizia started to establish their Istrian dominion. In doing so, they could rely on the rights and lordship they had as the advocates of the bishopric of Poreč and the Church of Aquileia, the biggest landowner in Istria from the early 12th century onward and from 1209 also holder of margravian lordship in Istria.<sup>58</sup> An important instrument in establishing their property and lordship positions in Istria were their local ministerials, in particular the lords of Pazin, who together with the lords of Duino near Trieste, Rihemberk near Gorizia, Eberstein in Carinthia and some others, in general belonged to Gorizia's principal ministerial families.

The territorial expansion of the Gorizian property in Istria was largely to the detriment of the Church of Aquileia, which, pressured by the Venetian Republic, the efforts for autonomy of the coastal towns, and the counts of Gorizia in the interior, saw its property and lordship position in Istria increasingly dwindle.<sup>59</sup> In the third quarter of the 13th century – at the time, when after the death of patriarch Berthold of Andechs (d. 1251) the Aquileian patriarchate was sinking into an economic and political crisis – Gorizian ministerials started to make

<sup>56</sup> Štih 1999e, 128 ff.

<sup>57</sup> CDI 1, no. 185; RG 1, no. 301; see Štih 1996, 91 ff., 161 ff.

<sup>58</sup> The biggest increase of Aquileian property in Istria was the acquisition from 1102 (UBK 1, no. 67): Ulric II of Weimar-Orlamünde donated nearly his entire allodial property in Istria, among others 11 *castella*, to the Church of Aquileia. With this donation, the Church of Aquileia was given practically the entire region of north and north-eastern Istria. The dominance of the Aquileian patriarchate in the peninsula is evident from the list of rights and revenues the church had in Istria: it dates from between 1267 and 1271 and lists around 40 settlements paying duties to the patriarch; CDI 2, no. 206. On the dating of this document, see Vergottini 1926–1927, 102 and note 3. On the repeated granting of margravian lordship in 1209, see Lenel 1911, 174 ff.; Kos M. 1985, 248 ff.; Štih 1999h, 44.

<sup>59</sup> Lenel 1911, 157 ff.; Pirchegger 1929, 493 ff.; Schmidinger 1954, 145 ff.; Pizzinini 1974, 183 ff.

their appearance in several Istrian seigneuries of the Church of Aquileia (Završje, Momjan, Lupoglav, Kožljak, Kršan). Two generations later, in 1342, most of these seigneuries were listed among the possessions the counts of Gorizia divided among themselves as their inheritance, considering them to be their property.<sup>60</sup> The seigneuries had been largely divested from the Church of Aquileia by the ministerials of the counts of Gorizia, to whom the patriarch had granted them in fief. In 1264, for instance, the Aquileian patriarch Gregory de Montelongo granted the Gorizian ministerial Henry of Pazin, who was married to the daughter of the Aquileian ministerial of Pietra Pelosa in Istria, the Lupoglav castle and seignury in Istria in fief.<sup>61</sup> In 1300, Henry's son of the same name confirmed that he had Lupoglav in fief from the Church of Aquileia,<sup>62</sup> but in 1342 it was already listed as Gorizian property,<sup>63</sup> and in 1362 count Albert III of Gorizia granted it in fief to his ministerial from Eberstein in Carinthia.<sup>64</sup> And this is but one of several examples. In the same way, they expanded their core property around Pazin, which they had been granted by the bishopric of Poreč, with Aquileian possessions located to the right of the Mirna River (Momjan, Završje) and north and east of Pazin (Sovinjak, Lupoglav, Kršan, Kožljak) in the second half of the 13th century, and partly in the early 14th century. In about the same period, they also acquired property in the south, at the lower Raša and at the Raša Bay (Barbana, Rakalj), which was originally part of the Pula territory.<sup>65</sup> These acquisitions under count Albert I of Gorizia and his son Henry II in the late 13th and early 14th centuries roughly concluded the territorial development of the Gorizian possessions in Istria, and a special captain for these possessions, seated in Pazin, is first mentioned in 1294.<sup>66</sup>

The concrete division of the dominion of the counts of Gorizia in 1342 awarded the Gorizian seigneuries in Istria and in the Slovene March and White Carniola to count Albert III. Albert III exercised princely lordship in this territories and in 1365, after concluding an inheritance agreement with the Austrian duke Rudolf IV, he granted

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<sup>60</sup> MC 10, no. 161; for details, see Štih 1996, 164 ff.

<sup>61</sup> UBK 2, no. 334; RG 1, no. 719.

<sup>62</sup> TEA, no. 283.

<sup>63</sup> MC 10, no. 161.

<sup>64</sup> HHStAW, AUR, 1362, VI. 22., Metlika. Erhard of Eberstein promises to Count Albert III of Gorizia that he will serve him loyally *mit der Vest Märeneuels* [Lupoglav], *die wir von iren gnaden zu lehen haben*.

<sup>65</sup> Štih 1996, 165 ff.

<sup>66</sup> CDI 2, no. 452.

his nobles in Istria and Carniola special privileges. The privileges derived from the imminent replacement of the lord of the *Land*, because the elderly Albert III was still childless when they were issued.<sup>67</sup> With these privileges, Albert III confirmed to his nobles their rights, especially in the judiciary, the military service, as well as in matters of fief and property. A particularly important provision stipulated that the only competent courts for the nobles from Gorizia's territories in Carniola and Istria were the nobility's courts in Metlika and Pazin, presided over by the count of Gorizia as the prince of the *Land* or, in his name, by the captain.<sup>68</sup> Under Albert III's rule, his two territorial complexes in Istria and Carniola thus obtained the fundamental institutions that are typical of a *Land*. And it is with this development that we may associate the fact that both territorial complexes started to be referred to as counties in the same period.<sup>69</sup>

When the Habsburg dukes Leopold III and Albrecht III inherited from count Albert III of Gorizia in 1374, they confirmed both charters of privileges, thus recognizing the territorial independence of the county in the March and Metlika and the county of Pazin.<sup>70</sup> The Habsburgs continued to confirm them as territorial charters of privileges until 1736, but separately from the Carniolan charters until 1567.<sup>71</sup> Emperor Maximilian I subjected the nobility of the county in the March and Metlika to the nobility's court in Ljubljana in

<sup>67</sup> See Štih 1996, 188 ff.

<sup>68</sup> *Ausgewählte Urkunden*, no. 120; CDI 3, no. 774; TKL 1, no. 152. For an analysis of the these two in content identical privileges, see Štih 1996, 185 ff.; most recently see Nared 2009, 67 ff., 320 ff.

<sup>69</sup> Gorizia's property in Istria is mentioned in 1304 as a *comitatus*, but without a name; Benussi 2004, 455. The partition treaties of the house of Gorizia from 1307 and 1342 refer only to Gorizia's possessions in *Isterreich*; MC 7, nos. 394, 438; 10, no. 161. In the inheritance agreement between Count Albert III of Gorizia and Duke Rudolf IV of Austria from 1364, Gorizia's properties in Istria are described as *die marichgraffschaft ze Isterreich*; HHStAW, AUR, 1364, VI. 6., Vienna. The privilege from 1365 is the first to refer to the *grafschaft zu Ysterreich* and *das land und herrschaft Ysterreich*; CDI 3, no. 774. In 1379 the *grafschaft ze Mitterburg* is first mentioned; Franceschi 1964, app. no. 8. For the Gorizian property in the Slovene March and White Carniola the partition treaty of 1307 still uses the description *auf der March und in Chrayn* or *deu March mit der Metlik und swaz guots ze Chrain ist*; MC 7, nos. 394, 438. In 1340, the term used is *herrschaft auf der Marich, in der Medlich*; HHStAW, Familienurkunden, no. 109, 1340, I. 14., Vienna. In 1342, the *grafschaft an der March* is first mentioned; MC 10, no. 161, and in 1365 the *grafschaft auf der Marich oder in der Metlik*; *Ausgewählte Urkunden*, no. 120.

<sup>70</sup> Levec 1898, 285 and nos. 4–6, 300 and no. 4.

<sup>71</sup> Levec 1898, 291 and nos. 43–45, 293 and no. 53.

1518,<sup>72</sup> and as late as 1528 the Carniolan Estates required of Ferdinand I to subject the nobles of Istria to the same court. The formal reason for the subordination to the nobility's court in Ljubljana was that the two former Gorizian *Länder* had so few nobles that there were not enough assessors for the nobility's court.<sup>73</sup> The Istrian nobles guarded their autonomy so jealously that, facing the lack of assessors, they preferred to go to law before their local ordinary courts instead of before the nobility's court in Ljubljana.<sup>74</sup> Similarly, the nobles from the county in the March and Metlika continued to emphasize their special position in the assemblies of the Carniolan Estates in which they participated from the late 15th century onwards. They refused to be included in the term *landschaft* in Crayn, insisting on the wording *landschaft in Krain und der grafschaft Metling*,<sup>75</sup> meaning that *zwo landschaft*<sup>76</sup> were involved, and that a distinction should be made *zwischen der obern und untern landschaftn*.<sup>77</sup>

#### *The County in the March and Metlika*

The county in the March and Metlika, whose own law of the *Land* is still documented in 1502,<sup>78</sup> developed from the properties and territorial courts the counts of Gorizia had in the Slovene March and White Carniola. The original core property of the counts of Gorizia in Carniola was located in Upper Carniola, between the Kokra River and the Karavanke on the left bank of the Sava. As in the case of Pazin they had acquired these possessions through the marriage of Count Engelbert III of Gorizia with Mathilde, the daughter of Count Meinhard of Schwarzenburg and Šumberk and countess of Pazin. But already in 1252, when the counts of Gorizia following the defeat of Gorizia-Tyrol in Greifenburg, Carinthia, had to accept the harsh terms dictated to them by Archbishop Philip of Salzburg, the son of the Carinthian duke

<sup>72</sup> Deželnozbornski spisi 2, no. 148: *das dan die von der Marich und Mettling der landschranen in Crain gehorsam sein, doch irer freyhait unschedlich*; Štih 1999e, 141.

<sup>73</sup> Vilfan 1943, 87: *Die aus der Windischenmarch haben wol so guet freyhait als die von Isterreich. Diewyl sy aber khayser Maximilian mangl halben der beyszyer zu der landschranen in Crain innen an iren freyhayten unuergriffen verordnet!...*

<sup>74</sup> Vilfan 1943, 84 ff.

<sup>75</sup> Deželnozbornski spisi 1, no. 38.

<sup>76</sup> Deželnozbornski spisi 2, no. 143 (p. 196).

<sup>77</sup> Deželnozbornski spisi 1, no. 32 (p. 40). On these issues, see also Štih 1999e, 140.

<sup>78</sup> AS, ZL, 1502, VII. 25. For details on the law of the land in the county in the March and Metlika, see Štih 1999e, 125.

Bernhard of Spanheim, the mentioned property fell to the counts of Ortenburg, and all that remained in their hands in Upper Carniola was the advocacy over the Bled seignery, owned by the bishopric of Brixen, which they then kept until nearly the end of the 14th century.<sup>79</sup>

Even so, before they lost their properties in Upper Carniola, the counts of Gorizia had made their first moves into the Slovene March in Lower Carniola, where a new complex of their Carniolan territories then formed. Around 1230, after the death of the Istrian margrave Henry IV of Andechs, and on account of their Andechs-Weichselburg inheritance, they acquired the seignery of Šumberk, which controlled the wider area at the upper Krka. Together with the seignery, they probably adopted the ministerials of Šumberk, who became the castellans of the local castle under the new lords and had a castle built in Žužemberk at the Krka, still within the Šumberk seignery, in the mid 12th century; this castle became the seat of the new seignery and later of a territorial court. It further appears that Kozjak castle was similarly built in Šumberk territory in the early 14th century.<sup>80</sup>

In addition to the complex of three castles at the upper course of the Krka, an important centre of Gorizian property was Hmeljnik castle in the Slovene March, one of the Andechs castles until 1228. In the mid 13th century, a member of the house of Auersperg came into possession of the castle through his marriage with the daughter of a Gorizian ministerial. In their capacity of Gorizian ministerials, his descendants occupied a special place among the Gorizian nobles in the March and Metlika, as they were in possession of three of Gorizia's local castles.<sup>81</sup>

A second complex of Gorizian property in Lower Carniola was located in White Carniola, the province between the Gorjanci Hills in the north and the Kolpa River in the south.<sup>82</sup> At the time of the military campaign against the Bohemian king Ottokar II Přemysl, King Rudolf I pawned Mehovo castle with the appurtenant White Carniola and its market-town Črnomelj to Count Albert I of Gorizia for 600 marks of silver in 1277.<sup>83</sup> In the last quarter of the 13th century, the Albertiner

<sup>79</sup> MC 4/1, no. 2516; RG 1, no. 580.

<sup>80</sup> Štih 1996, 149 ff. (Šumberk), 156 ff. (Žužemberk), 132 ff. (Kozjak).

<sup>81</sup> Štih 1996, 125 ff. (Hmeljnik).

<sup>82</sup> The province was called Metlika (Möttling) in the Middle Ages. The settlement in White Carniola which later carried this name was initially called *Neumarkt* (in Möttling): Kos M. 1975–1, 364 ff.

<sup>83</sup> *Urkunden zur Geschichte Krains*, 239 and no. 66: *castrum Michowe cum foro ad ipsum pertinente nomine Zermenli ac aliis attinentiis*; 240 and no. 66 (sic!).

branch of the counts of Gorizia thus owned two large property complexes in Lower Carniola, which were however not contiguous. Before 1326, they acquired Soteska castle on the road that led from the valley of the upper Krka to Črnomelj and White Carniola, and in about the same period Rožek castle was built at the same road, and the name of the castle was adopted by a Gorizian ministerial.<sup>84</sup> The connections these castles established gave the Gorizian possession in Lower Carniola a new quality.

In 1277, when the counts of Gorizia became its administrators, White Carniola was but an appurtenance of Mehovo castle, although the market-town of Črnomelj, had developed in the province, the seat of a proto-parish established in 1228, and of the first known noble family in the province – the lords of Črnomelj. Things however rapidly changed under the counts of Gorizia. First the old Spanheim ministerials at Črnomelj castle were replaced by a Gorizian ministerial from Karsperg in the upper Karst, whom the count of Gorizia sent to the newly acquired province to secure his interests.<sup>85</sup> This move alone suggests that the administrative centre of the province, which had been outside the province – in Mehovo castle – was transferred to White Carniola. The elevation of Metlika finally asserted these changes when it soon became the new centre of White Carniola and later – as the seat of the nobility's court and captain<sup>86</sup> – the centre of the entire county in the March and Metlika. The market-town of Metlika, first mentioned as *Novum forum* in 1300, was a foundation of the counts of Gorizia, and they had a castle there.<sup>87</sup> Around 1300, a third castle owned by the counts of Gorizia in White Carniola, was erected in Gradac.<sup>88</sup>

Gorizia's properties in the Slovene March and White Carniola were thus connected already in the first quarter of the 14th century, and the erection of castles provided the province with centres of economic, administrative, judicial, and military infrastructure, as well as its own nobles, who though few in numbers managed to become integrated in the established circle of the Gorizian ministerial nobility through marriages. This complex of territories and territorial courts, for which

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<sup>84</sup> Štih 1996, 147 ff. (Soteska), 144 ff. (Rožek).

<sup>85</sup> Štih 1996, 115 ff. (Črnomelj).

<sup>86</sup> Štih 1999e, 126.

<sup>87</sup> Štih 1996, 141 ff. (Metlika).

<sup>88</sup> Štih 1996, 121 ff. (Gradac).



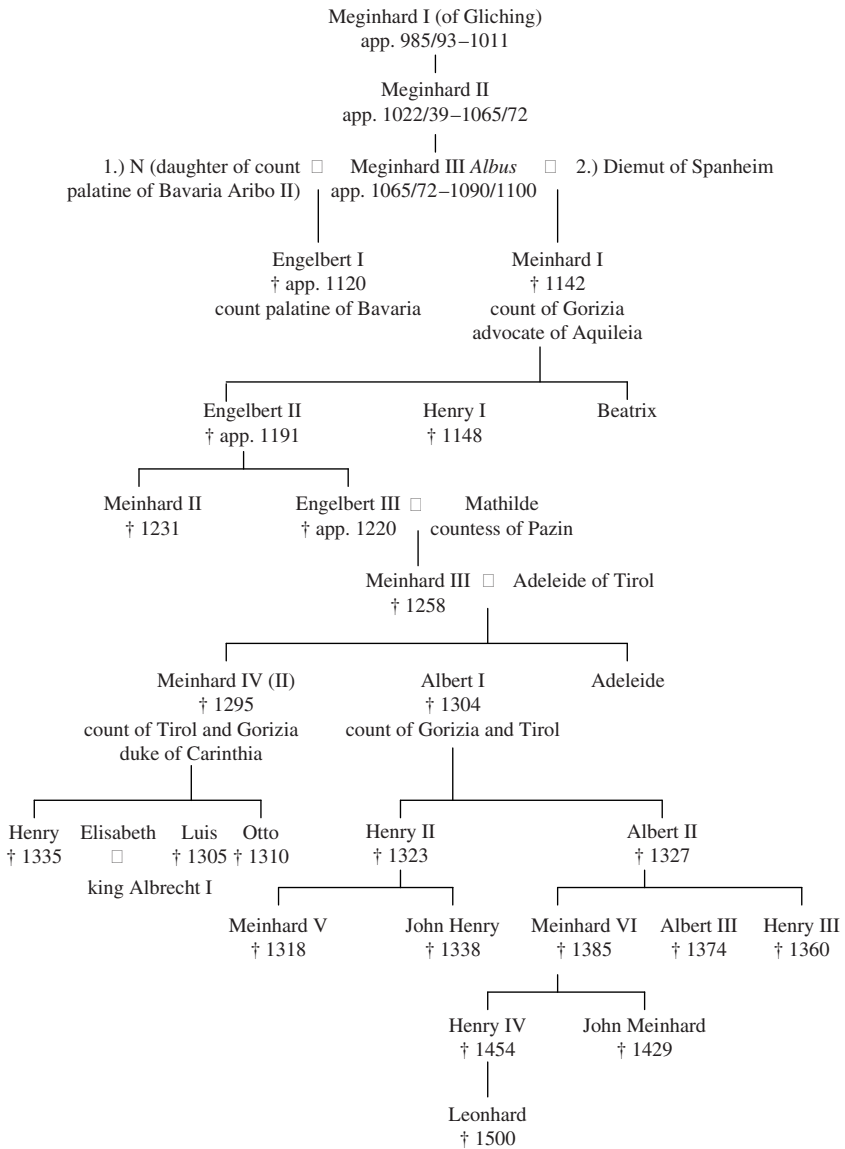


Fig. 12. The counts of Gorizia (reduced genealogy).

a special captain is attested already in 1322, gained quite clear outlines in this period and later, under Count Albert III of Gorizia, developed into a special *Land*.<sup>89</sup>

<sup>89</sup> Štih 1996, 169 ff., 210 and note 1383 (for the captain); Štih 1999e, 125 ff.

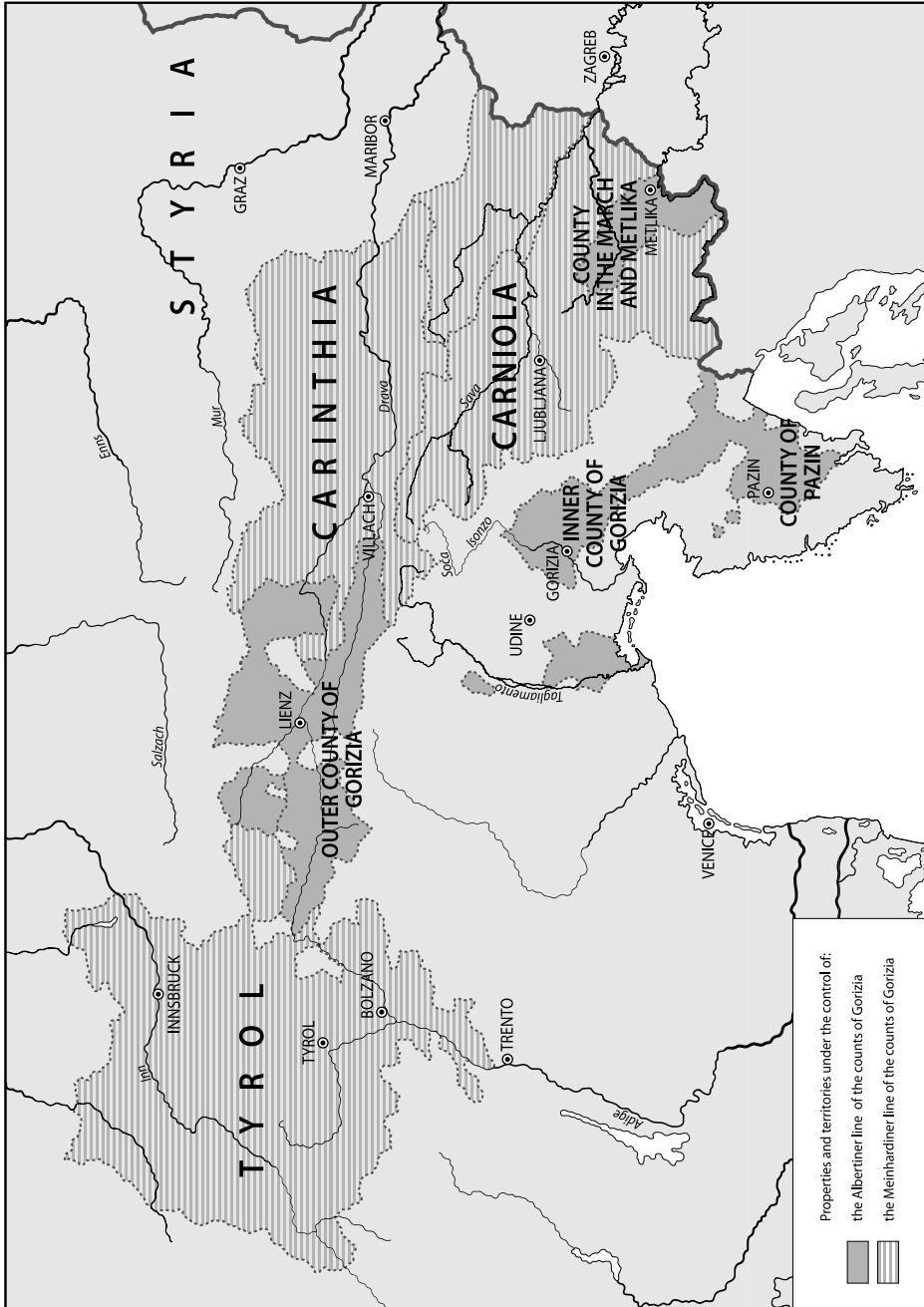


Fig. 13. Map of the properties and territories of the counts of Gorizia.

## CHAPTER SEVENTEEN

### THE COUNTS OF CILLI, THE ISSUE OF THEIR PRINCELY AUTHORITY AND THE *LAND OF CILLI*

#### *The Issue*

In the early 1420s, the house of the counts of Cilli was shaken by a huge scandal: Frederick II, the first-born son and successor of the mighty count Herman II, whose daughter, Frederick's sister Barbara, was married to Emperor Sigismund of Luxemburg, had fallen in love madly with a young lady of lower descent – Veronica of Desenice. Rumours spread around the country that in 1422 Frederick had murdered his wife Elisabeth, a member of one of the most eminent Croatian noble families, the Frankopans, for the sake of Veronica. When Frederick married Veronica three years later against his father's will and the advice of his brother-in-law, Emperor Sigismund, his father captured him with the emperor's assistance and had him locked up for long years. Veronica suffered an even worse fate, as she paid with her life for the forbidden love.<sup>1</sup>

The epilogue of this love story between Frederick II, Count of Cilli, and Veronica of Desenice, marked as it is by two murders, the persecution and imprisonment of the two lovers, and the conflict between father and son hatred had a strong echo in the Slovene drama because of its tragic nature, moral and social charge.<sup>2</sup> It serves us well to introduce and illustrate the issue that will be dealt with below. What is of primary interest to us is, of course, the legal and judiciary aspect of Veronica's tragic story.

According to the account in the Cilli Chronicle, which is by far most important, albeit not the only source<sup>3</sup> on this devastating family crisis

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<sup>1</sup> Cillier Chronik, c. 10–12.

<sup>2</sup> Hartman 1977, 10 ff., 32 ff., 57 ff.

<sup>3</sup> Important information on this family affair of the house of Cilli is also in Piccolomini, *Historia Austriacis*, 264 ff., and Windeck, *Denkwürdigkeiten*, 212. Excerpts from these two sources involving the history of the counts of Cilli are reprinted in: *Die zeitgenössischen Quellen*, 14 ff., 18 ff.; *Podoba Celjskih grofov*, 212 ff., 220. On both sources and their authors, see Lhotsky 1963, 348, 392 ff.

in the house of the counts of Cilli, Frederick's father Herman II, who for reasons of his dynastic and political schemes could not come to terms with the liaison, first had his disobedient son incarcerated, probably in the second half of 1425,<sup>4</sup> after which he seized and imprisoned Veronica, whom he transferred to Celje. There he summoned a court (*lies ein recht besetzen*), where he accused her (*und solch ursach hat graff Hermann zu ihr suchen und klagen lassen*) of having lured his son into marrying her through witchcraft, as well as trying to poison him, her father-in-law, and threatening his life in other ways; he called on the court to sentence her to death (*das sy mit recht überwunden und von leben zum todt bracht hett*). The court however acquitted Veronica of charges on that same day. Nevertheless, the poor woman did not escape the fate Herman had in stall for her: two of his knights later drowned her at the foot of Ojstrica Castle near Vransko, where she was imprisoned.<sup>5</sup>

In the literature, the case against Veronica is usually brought at the market-town court<sup>6</sup> or town court<sup>7</sup> of Celje, but the Cilli Chronicle only reports that Herman summoned a court, without mentioning of what kind. It cannot have been a town court, since Celje obtained the status of town only after the counts of Cilli were elevated to princes in 1436, when the settlement at the confluence of the Savinja and Voglajna began to be mentioned as a town, while earlier it was always and consistently referred to as a market town.<sup>8</sup> A market-town judge, who was always appointed by the lord of the place, is first mentioned in Celje in 1314, when it was still in the hands of the counts of Heunburg,<sup>9</sup> but a market-town court (as well as a town court) settled disputes between the burghers and it was competent only for disputes of a civil nature, not for criminal matters – unless it had the right to exercise blood justice, which is not documented in the case of Celje.<sup>10</sup> A market-town or town court was thus not competent for a trial in which both plaintiff and defendant belonged to the privileged class of the nobility.

<sup>4</sup> For a chronology of the events and the biography of Veronica of Desenice in general, see especially Grafenauer 1980–1991, 412 ff.

<sup>5</sup> Cillier Chronik, c. 12.

<sup>6</sup> Pirchegger 1931, 49; Orožen 1971, 158.

<sup>7</sup> Gubo 1888, 11; Gubo 1909, 100; Dopsch 1974–1975, 20.

<sup>8</sup> Vilfan 1984, 16 ff.; Otorepec 1988, 132 ff.

<sup>9</sup> AS, ZL, 1314, IX. 15., Bleiburg (*Heinreich der Wanchaumer von Cili der vnsere* [of the counts of Heunburg Frederick and Herman] *amman und rihter ist*).

<sup>10</sup> Vilfan 1984, 18.

There can indeed be no doubt that Veronica of Desence belonged to the nobility as well. The author of the Cilli Chronicle writes that “she was not Frederick’s equal by noble rank, because she was from a knightly family” (*sy ihm nicht eben gleich was an dem adel, denn sy was geschlechter rittermessiger leut*), but was nevertheless “noble” (*edl*).<sup>11</sup>

The trial cannot have taken place at the (local) territorial court, the competent court for criminal matters involving unprivileged persons (peasants), which were not tried by the lower patrimonial courts, even though the counts of Cilli had been granted blood justice, first by the prince of Styria in 1356,<sup>12</sup> and again by the king in 1415.<sup>13</sup> The only place where Herman, Count of Cilli, could have accused and persecuted the noble woman Veronica, would have been the court for the privileged classes – the *Landschranne* or nobility’s court. Even so, could Herman have set up such a court in Celje around 1425, if we know that the nobility’s court of Styria had its seat in Graz?

The nobility’s court as the highest court and domain of the prince of the *Land* was essentially – if we understand *Land* in Brunner’s sense<sup>14</sup> – an organisational term for a *Land* with its own law of the land (*Landrecht*).<sup>15</sup> Brunner placed the law of the land in the centre of the term *Land*. His most important formulation related to this question equates a *Land* with the area where the law of the land is applied, the law that is used at the assembly’s court (*Landtaiding*) and the court of the prince (*Hoftaiding*) – the nobility’s court.<sup>16</sup> This means that the law

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<sup>11</sup> Cillier Chronik, c. 11, 12. Frederick himself referred to Veronica as a person from the high nobility: in the summer of 1425 he indeed appealed, through an emissary, for asylum with the doge of Venice in case the king of Hungary, Sigismund of Luxemburg, who resented Frederick’s marriage with the daughter of a high Hungarian baron, wanted to capture him; Documenti per la storia del confine orientale d’Italia, 33: /.../ *quod accepit in uxorem, de curia Regis hungarie quandam iuvenem filiam cuiusdam magni baroni hungarie, de qua re dictus Rex hungarie videtur esse valde indignatus*. In the necrologies of the monasteries of Jurkloster, where she was buried, and Bistra, she is referred to as *Veronica comitissa* (Gubo 1888, 12 and note 47), but this was not meant to indicate that she was of noble extraction, but that she was considered a countess of Cilli because she was the wife of Frederick II.

<sup>12</sup> AS, CE I 219, 1365, XII. 6.: /.../ *daz si und ir erben in irr graftschaft genant Cyli /.../ alle gerichte umb den tode, stok und galgen mit vollem und ganczem gewalt da haben sullen /.../ als wir die selber innehieten. Und sullen si ouch die von uns in lehens wise haben.*

<sup>13</sup> See note 65 and Roth 1952, 112 ff.

<sup>14</sup> Brunner 1965, 165 ff.

<sup>15</sup> Cf. Hageneder 1957, 365.

<sup>16</sup> In charters from the 14th and 15th centuries, special guarantee clauses (*Gewährleistungsformel*) often quote the law of the *Land*, by which the parties to the

of the land characterised the *Land* of the Late Middle Ages, representing a peace community in which the nobility as the decisive factor and holder of political power sought justice at the highest court of the *Land*. A *Land* is thus an association of persons (*Personenverband*) and a community in which a certain number of local noble holders of authority join their interests, acknowledging that they are subordinated to the lord (prince) of the *Land*, who chairs the nobility's court and commands the *Land's* army. The common interest and the related connections between the noble lords were based on the awareness that an individual can only exist in association with his class peers.

Affiliation to a certain association of persons – a *Land* – was expressed by attending the *Land's* assembly (*Landtaiding*) headed by the lord of the *Land*. By participating in such assemblies, which were principally court assemblies in which disputes and conflicts between the nobles were solved, they acknowledged the relevant rules of the game, the “law of the land.” The area of a *Land* thus depended on the extent of the association of persons, the nobles affiliating themselves to the *Land* and its law, who also sought justice before its highest court. In other words, this means that the *Land* of the Late Middle Ages was not a accurately defined area, but that its borders were fluent and changeable.<sup>17</sup> In this way, new associations of persons could emerge in the Late Middle Ages, meaning new *Lands*, which broke free from older state and political unions. A good example are the counts of Gorizia who managed to detach their outer county centred in Lienz as a special *Land* from Carinthia and from the princely authority of the duke of Carinthia, while their inner county, centred in Gorizia, separated from Friuli, where princely authority was exercised by the patriarch of Aquileia.<sup>18</sup> Similarly, the counts of Schaunberg attempted to elevate their territory (county) to a *Land* and separate from the *Land* of Austria in the 14th century.<sup>19</sup>

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agreement were liable for possible damages; Härtel 1985, 5 ff. These quotes do not present any evidence for the existence of collections of codified law, but they are an expression of the will to treat matters in accordance with the customary legal norms “*wie es rechtlich üblich ist, nicht willkürlich*,” as well as an expression of affiliation to an individual *Land*; see Hageneder 1987, 176 ff.

<sup>17</sup> Brunner 1965, 180, 184, 194, 234. Some of Brunner's argumentations, which are hard to grasp, are significantly clarified in Weltin 1990, 339 ff. See also Hageneder 1987, 153 ff.

<sup>18</sup> Brunner 1965, 218 ff.; Štih 1994a, 45 ff.; Štih 2000a, 41 ff.

<sup>19</sup> Stowasser 1924, 114 ff.; Hageneder 1957, 189 ff.

Whether the counts of Cilli managed to break free from the princely authority of the dukes of Styria and whether, in other words, a special *Land* of Cilli existed with its own nobility's court and Herman as its prince of the *Land* is a matter of crucial importance to the credibility of the account of the trial against Veronica of Desenice in the Cilli Chronicle, a trial some historians doubt that it ever took place.<sup>20</sup>

*The Counts of Cilli between the Habsburgs and the Luxemburgs*

Sigismund's great charter of privileges, issued in Prague on November 30th, 1436,<sup>21</sup> elevated the counts of Cilli to princes, granting them the rights that fell to the princes of empire (*Reichsfürsten*) – among them was the right to a nobility's court in Celje – and constitutes one of the key documents and foundation stones of the emerging *Land* of Cilli and the princely authority of the counts of Cilli. However, the charter by no means started or ended this multilayered process, because it was a long development determined by Cilli's growing power and the relationship between the house of Cilli and the princes of the *Land*, the Habsburgs – a process constantly exposed to changes.

The relationship between the *Freiherren* of Sannegg (Žovnek), as the counts of Cilli were initially called, and the Habsburgs was crucially determined in the 14th century: through a legal and political act, issued in Graz on April 22nd, 1308, Ulric of Sannegg ceded to Frederick the Handsome, Duke of Austria and Styria, his allodial property – the Žovnek and Ojstrica castles and the towers of Šenek and Libenštajn – to receive them back in fief from the duke.<sup>22</sup> This act turned the old Sannegg family property into a Styrian princely fief and the Sanneggs into Styrian princely vassals, a status they did not hold earlier because of the allods. The incorporation of the lords of Sannegg into the circles of the Styrian nobility occurred at the time and in the context of the war between the Habsburgs and the counts of Tyrol and Gorizia over the Bohemian crown, which had flared up after the Přemyslids had died out and was fought mainly on Carinthian, Carniolan and Styrian soil.<sup>23</sup> Of even more importance to the Sanneggs was their inheritance from their relatives, the counts of Heunburg, who died out in 1322.

<sup>20</sup> Dolenc 1930, 22; Vilfan 1984, 18.

<sup>21</sup> See note 108.

<sup>22</sup> CKL 1, no. 80. For the listed castles, see Kos D. 1994b, s. v.

<sup>23</sup> Roth 1952, 13 ff.; Kos M. 1955, 294 ff.; Grafenauer 1965, 374 ff.

This inheritance brought them half of Celje, while the other half fell to the counts of Pfannberg. Following a ferocious feud with Conrad of Aufenstein, the governor and marshal of Carinthia under Duke Henry from the dynasty of the counts of Tyrol and Gorizia, who held the Pfannberg half of Celje in pawn, the Sanneggs acquired the entire Celje Castle and the market-town at its foot<sup>24</sup> following arbitration by prince of the *Land*, Duke Albrecht II in 1331,<sup>25</sup> and after they redeemed the pledge to the Aufensteins in 1333.<sup>26</sup> The central settlement of the entire Savinja basin thus became the new centre of the seigneuries of the Sanneggs.

The next step in the quick rise of the lords of Sannegg occurred on April 16th, 1341, in Munich: Emperor Louis of Bavaria elevated the *Freiherren* of Sannegg to counts of Cilli and granted them the county of Cilli.<sup>27</sup> This elevation may have been the point of dispute between the Cillis and the Habsburgs, because the text of the charter equates the new counts with the imperial counts and makes them directly subject to the king, thus weakening their ties with the prince of the *Land*.<sup>28</sup> In reality, however, the elevation of the Sanneggs to counts was carried out in a way that did not threaten the prince's interests or rights. The area of the new county of Celje indeed corresponded merely with the borders of the Lemberg seignery near Poljčane, owned by the bishopric of Gurk and which the Sanneggs had held in fief from the bishopric already from before the mid 12th century.<sup>29</sup> The new county thus did not include the four old allodial Sannegg castles, which had become a (ducal) fief of the *Land* in 1308, nor Celje or the Celje seignery, in which the princely properties of Žaženberk and Žalec were located. The Sanneggs were thus granted comital rights over the property they held, as the charter reads, *in dem bystûm ze Gurgg*, but not over the property located *in dem hertzentûm ze Steyr*.<sup>30</sup> The elevation

<sup>24</sup> See details in Krones 1883, 56 ff.; Roth 1952, 23 ff.; Orožen 1971, 163 ff.

<sup>25</sup> MC 9, no. 476/1.

<sup>26</sup> CKL 1, no. 146.

<sup>27</sup> CKL 1, no. 212. This is the first sovereign charter issued to the lords of Sannegg or counts of Cilli; Baum 1999, 38.

<sup>28</sup> CKL 1, no. 212: */.../ und geben in grafen namen von Cyli und verleihen auch in dieselbe grafenschaft mit allen rehten eren freihaiten und guten gewonhaiten mit sampt den gerihte die ander unser und dez reichs grafn habent /.../ mvgn si auch al ander unser und des reichs grafn eren und wirdden als lieb in unser und dez reichs hulden sein.*

<sup>29</sup> CKL 1, no. 212: */.../ daz alles gehort hat und gehoret zu der herschaft Lengenvvrch da von si wol grafn muegen sein und sich auch als grafen halten.* On the Lemberg seignery see Kos D. 1994b, 79 ff.

<sup>30</sup> Cf. Pirchegger 1931, 117.



deliberately refrained from interfering with the rights of the prince of the *Land* deriving from his princely property.<sup>31</sup>

This compromise solution certainly was in the interest of the counts of Cilli and was reached in agreement with Duke Albrecht II of Habsburg, since the elevation of the Sanneggs to counts occurred on his request and with his agreement.<sup>32</sup> If the elevation to counts had been to the detriment of the Habsburg interests and rights, they would have been able to enforce against the counts of Cilli the provisions of Emperor Charles IV's decision from 1348, which revoked all the charters issued by "Louis of Bavaria who once called himself emperor" reducing or harming the rights of Duke Albrecht II of Austria or his sons.<sup>33</sup> That this was not the case is best illustrated by the fact that the Habsburgs recognized the comital title of the Cillis from the beginning,<sup>34</sup> but they later refused to acknowledge their princely title, granted to them by the emperor's charter from 1436, all until the Habsburg-Cilli settlement of 1443. The title of imperial counts, mentioned in the charter of Louis of Bavaria, was important to the Cillis because of the related higher prestige (*honor*), but it did not establish any imperial immediacy. The Cillis were counts in the *Land* and continued to belong to the Styrian territorial nobles, among which they occupied the leading position because of their property, wealth and comital title.<sup>35</sup> As such they were subjected to the authority of the duke of Styria and the prince of the *Land*. A clear expression of this relationship was the blood justice they were given in fief from the prince of the *Land*.<sup>36</sup> The position of the counts of Cilli in the mid 14th century was in many aspects similar to that of the counts of Ortenburg in Carinthia and Carniola, who belonged to the territorial nobility in the same period.<sup>37</sup>

<sup>31</sup> Krones 1883, 89; Krones 1900, 46 ff.

<sup>32</sup> CKL 1, no. 212: /.../ und haben daz getan durch unserr oheim von Oestereich bet und mit irem willen.

<sup>33</sup> Krones 1900, 17, 49.

<sup>34</sup> E.g. HHStAW, AUR, 1345, IV. 21., Vienna; AS, CE I 192, 1362, VII. 3., Bratislava; AS, CE I 194, 1362, VIII. 26., Vienna; AS, CE III 34, 1363, III. 16., Graz; AS, CE I 219, 1365, XII. 6.; Krones 1883, 93.

<sup>35</sup> See note 95.

<sup>36</sup> As in note 12. Roth 1952, 51 and note 1, lists no less than seven charters by which the Habsburgs granted blood justice to the Cillis in the period from October 1363 to March 1369.

<sup>37</sup> Lackner 1991, 181 ff., 192 ff., 198 ff. Two identical charters (Ausgewählte Urkunden, no. 94; Levec 1898, supplement 1, p. 297), issued by Duke Albrecht II in 1338, one to the nobility of Carinthia and a second to the nobility of Carniola (categorised as: *lantherren, ritter und chnecht von unserm lande ze Chernden/Chrayn*)

In 1372, Emperor Charles IV, whom Ulric of Cilli accompanied to his coronation in Rome in 1354,<sup>38</sup> once more elevated the Cillis (Sanneggs) to counts.<sup>39</sup> Using the formulation that he “*geschephet gesaczet und gemachet /.../ mit kraft dicz brieues die obgenanten freye edlen von Sehenekke Herman und Wilhelm zu grauen des heyligen römischen reiches und geben in grauen namen von Cili genant,*” Charles in formal terms completely ignored Louis’s elevation of the Sanneggs to counts of Cilli from 1341. Although the Sanneggs were consistently titled as counts of Cilli after 1341, Charles IV addressed Herman and William merely as “free noble lords of Sannegg,” as if he was the first to elevate them to imperial counts named after Cilli. The imperial immediacy of the (new) counts and the county of Cilli is explicitly emphasised in the sentence from the charter quoted above, and it is expressed in even stronger terms in the formulations that the county of Cilli is an imperial fief, granted by Charles to the Cillis with the usual homages and oaths, that they are entitled to the same rights and honours as the other imperial counts,<sup>40</sup> and that they should therefore be addressed by all as

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contain a paragraph stating that the counts residing in the *Land* were subjected to the jurisdiction of the nobility’s court (*Ez sullen ouch die grafen die in dem lande ze Chernden/Chrayn gesezzen sind, recht vor unser oder vor unserm hauptman tûn, umb swecz man hintz in ze sprechen hat*). This paragraph was primarily aimed at the counts of Ortenburg, who indeed agreed to be tried at the nobility’s courts of St.Veit, Carinthia and Ljubljana, Carniola. In 1342, for instance, the Ortenburg brothers defended themselves at the assembly of the *Land* (*Landtaiding*) in Ljubljana against accusations brought by Volker and Herbart of Auersperg (HHStAW, AUR, 1342, X. 23.). The affiliation of the Ortenburgs to the *Land* of Carinthia and their acknowledgment of the authority of the Habsburg dukes also shows in that they did not have the regalian right to castle-building, and that the permission to surround their market-town of Spittal with a wall and moat was granted to them by the Habsburgs, who retained access rights (*ius aperturæ*) to the market-town; see Wutte 1935, 47; Roth 1952, 97.

<sup>38</sup> Die zeitgenössischen Quellen, 6 (poems by Peter Suchenwirt).

<sup>39</sup> AS, CE II 3 and 4, 1372, IX. 30., Brno. The charters differ in the descriptions of the borders of the county of Cilli. Charles IV issued another charter on the same day, granting the counts of Cilli, Herman and William, advocacy over the monastery of Gornji Grad (AS, CE I 270, 1372, IX. 30., Brno).

<sup>40</sup> AS, CE II 3, 1372, IX. 30., Brno: */.../ und die obgenante graueschaft /.../ ist von uns dem römischen reiche unsern nachkömen römischen keysern und künigen zu rechten edlem freyhen lehen als wir in die auch gegenwürtklichen mit gewonlichen huldungen und eyden verliehen haben /.../ und auch das sy alle und igliche rechte ere wirdikeyt freyheyte gewonheyte gericht vortail und ubunge in gerichte und auswendig gerichtes für dem römischen reiche und an allen andern steten und enden wie sich das ymmer gebüren mag haben yben und der genczlichen gebruchen sullen und mugen die andir edle und gefreyte grauen des römischen reiches durch rechte und gewonheyte nach sieten der lande haben halten uben /.../.*

“*unsire* [that is Charles’s or the emperor’s] *und des reiches freyhe edle grauen von Cilli*.” From the standpoint of the Habsburg princes and dukes of Styria, what must have been particularly contentious was the fact that charter granted the county of Cilli new borders and a much larger territory than in 1341, as it now included the upper and middle Savinja basin, and that it obtained the status of an immediate imperial fief within the duchy and *Land* of Styria. The new county of Cilli indeed included – in addition to the old Gurk seignury of Lemberg, the Aquileian estate of Gornji Grad, the Heunburg legacy including Celje, etc. – princely estates: the old Sannegg allodial property that was turned into a fief in 1308.<sup>41</sup>

Their imperial immediacy weakened the ties the Cillis had with the princes of the *Land* – although, on the other hand, the comital rights to which they were entitled like all other imperial counts were limited “*durch rechte und gewonheyt nach sieten der lande*” – and in this respect Charles’s privilege was aimed against the interests of the Habsburgs. It was a manifestation of the sharp antagonism, rivalry, and struggle for imperial authority between the two great dynasties, in which the Luxemburgs further weakened the power of the Habsburgs by granting imperial immediacy to their most important vassals and territorial nobles. This policy culminated in the 15th century, but overt antagonism between the two dynasties went back to at least the mid-1350s, when Charles IV by way of the Golden Bull of 1356 eliminated the Habsburgs from the circles of the most privileged princes electors, whereupon Rudolf IV responded with the famous forgery of *privilegium maius*, which Charles however never confirmed. Nevertheless, Albrecht III and Leopold III, who ruled alone and together after their brother Rudolf IV’s death in 1365, gave their agreement to the repeated elevation to counts of the Sanneggs respectively Cillis in 1372. But that the Habsburgs did not give this agreement solely on their own initiative – as suggested by the wording of Charles’s charter the Habsburgs had requested him to elevate the Cillis<sup>42</sup> – is attested by their letter of consent (*Willebrief*),<sup>43</sup> which clearly indicates their veiled irritation, as well as by the sequence of events. The *narratio* of the charter in question

<sup>41</sup> Cf. Krones 1900, 49 ff.; Gubo 1909, 83 ff.; Orožen 1971, 210 ff.

<sup>42</sup> AS, CE II 3, 1372, IX. 30., Brno: *Und darumb und auch fleyssiger bete willen der hochgeboren Albrechtis und Lūpoltes herczogen zu Ostrrerreich zu Steyeren und Kerendem /.../ haben wir /.../*.

<sup>43</sup> Copied in the Cilli Chronicle; Cillier Chronik, 162 ff.

first establishes the fact that Charles IV had already elevated the Sannegg-Cilli brothers Herman and William to counts, upon which – as the disposition of the charter continues – Albrecht and Leopold gave their agreement (*unsern lauttern gantzen und gutten willen darzu gegeben und geben*) only in response to the wish, request, and demand of Charles IV (*nach willen und vleissigen bit und begheren des /.../ kay-sers*). The Habsburgs clearly were not among the initiators of this second elevation of the Sanneggs to counts, and they indeed opposed, issuing their letter of consent only on the orders of Charles; furthermore, in spite of the explicit provision in Charles's charter they did not address the Cillis as imperial counts in this letter.<sup>44</sup>

This was the first important advance of the Cillis against the will and interests of the Habsburgs. It signalled the beginning of the great crisis in the relations between the Cillis and Habsburgs that was to culminate more than 60 years later; the conflict was inevitable because of the utterly conflicting political objectives of the two sides: the Cillis wanted to achieve princely authority over the territories they controlled, but the Habsburgs would not let go of their authority at any price. The Cillis were however great masters of political pragmatism and opportunism and found themselves a new protector in the rivals of the Habsburgs, the Luxemburg dynasty; as the holders of the German crown the Luxemburgs had at their disposal mechanisms and instruments that enabled them to elevate the Cillis circumventing the prince of the *Land*. In fact, it was the tangible military, financial, and territorial power of the Cillis that made the elevation a reality. In the meantime, they continued to collaborate with the prince of the *Land*, supported him, and in general behaved as territorial nobles. They brought their disputes before the duke and his court,<sup>45</sup> the duke appointed the counts of Cilli as arbitrators in his own disputes,<sup>46</sup> and the Cillis also featured among the duke's escort.<sup>47</sup> Herman II was the prince's governor in Carniola in

<sup>44</sup> Cf. Roth 1952, 65.

<sup>45</sup> E.g. AS, CE III 69, 1377, III. 3., Vienna. Duke Albrecht III announces his decision in the dispute between the count of Cilli Herman I and his sister Catherine.

<sup>46</sup> E.g. AS, CE III 106, 107, 1407, II. 21., Wiener Neustadt, and 1407, II. 23., Wiener Neustadt. Duke Ernst documents that from his side he has chosen Herman II as arbitrator in the dispute with his brother Duke Leopold IV. Cf. Gubo 1909, 93.

<sup>47</sup> In 1377 Duke Albrecht III travelled in the company of fifty *Dienstmannen*, including three counts of Cilli (Herman I, his son Herman II, and his nephew William) to pagan Prussia (Lithuania) all the way to Memel (Klaipede), where the old count of Cilli, Herman I, knighted him (*Ritterschlag*): *Die zeitgenössischen Quellen*, 7 (poems by Peter Suchenwirt); Orožen 1971, 211.

the 1390s<sup>48</sup> and the duke granted him fiefs,<sup>49</sup> addressing the Cillis as “our loyal, noble counts.”<sup>50</sup> Furthermore, the agreement the Cillis made with their partners on (military) alliances and mutual assistance also included the provision that they would provide assistance against anyone “*ausgenommenlich wider unser herren die herczogen ze Osterreich.*”<sup>51</sup> Finally, the Cillis continued to lend the Habsburgs great amounts of money,<sup>52</sup> receiving in return numerous, important estates in pawn.<sup>53</sup>

As they constantly increased their property holdings – considering their later acquisitions in the *Länder* of the Hungarian crown and the acquisition of the Ortenburg legacy that was instrumental to their rise within the German empire, these holdings were of a rather local nature, aimed especially at completing their territory in Styria<sup>54</sup> – the counts of Cilli of the first and second generations following their elevation to counts managed to become part of Europe’s aristocratic elite. Their success was reflected in their family ties, bearing witness that the counts of Cilli were at that time capable of establishing marriage ties with royal dynasties. Herman I – his wife Catherine was the daughter of the ban of Bosnia, Stephen II Kotromanić (from 1361) – was the brother-in-law of the king of Hungary and Poland, Louis of Anjou (who was married to Stephen’s other daughter), and his nephew William married Ann, the daughter of Casimir, the last Polish king from the dynasty of

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<sup>48</sup> For a good example, see GZLj 3, no. 27 (1393, IX. 8.), where Duke Albrecht III, following a complaint from the citizens of Ljubljana, orders Herman II of Cilli, the governor of the *Land* of Carniola, not to have them tried by the nobility’s court, because only the town judge was competent to try them.

<sup>49</sup> E.g. AS, CE II 6, 1377, III. 4., Vienna: Duke Albrecht III grants the counts of Cilli, Herman and William, the fiefs he had previously granted to the deceased Cholo of Vuzenica; AS, CE III 81, 1387, VI. 13., Vienna: Duke Albrecht grants Herman and William of Cilli in fief the Dravograd seigneurie including the castle and market-town.

<sup>50</sup> See the charters in notes 45–49.

<sup>51</sup> E.g. AS, CE II 12, 1377, XI. 23: Agreement on alliance and mutual assistance between Fredrick of Ortenburg and the counts of Cilli Herman I, Herman II, and William.

<sup>52</sup> GZLj 1, no. 77 (1372, IV. 16., Vienna).

<sup>53</sup> In January 1336 the Habsburgs pawned to the Cillis – or rather the Sanneggs – their first castles: Laško, Freudeneegg, Klausenstein, and Radeče; CKL 1, no. 160. This brought the Cillis the highly strategic Laško seigneurie which controlled the lower Savinja and the passages across the Sava at Zidani most, which remained in their possession until the family died out in 1456. See Pirchegger 1962, 246; Kos D. 1994b, 67, 78.

<sup>54</sup> Krones 1883, 95 ff.; Orožen 1971, 163 ff.; Kos D. 1993, 35 ff.

the Piasts, in 1382. Their daughter Ann married Władysław Jagiełło, the grand duke of Lithuania and king of Poland in 1402.<sup>55</sup>

The supra-regional rise of the house of Cilli in the first half of the 15th century however undoubtedly owed most to the close, long-year ties Herman II had woven with the king of Hungary, Sigismund of Luxemburg, Emperor Charles IV's son. The political plans and interests of the two houses were of course not identical, but they were compatible, and the close cooperation that had grown from this foundation was further strengthened by family ties through the marriage of Herman's daughter Barbara with Sigismund (ar. 1406). Herman's father-in-law was the king of Hungary (from 1387), Germany (from 1410) and Bohemia (from 1420), and the emperor of the Romans (from 1433), greatly increasing Herman's reputation within the entire imperial aristocracy.<sup>56</sup> The two men had something else in common; they ruled almost at the same time over a period of fifty years. Herman ruled from 1385 (together with his cousin William until 1392) to 1435, Sigismund from 1387 to 1437. The horizons that opened up to Herman and the Cillis in the early 15th century were simply too wide, and the possibilities to conquer them too great, for Herman to content himself with the position of count in Lower Styria, offered to him by the Habsburgs, a position that would have limited his horizon to as far as the view from the tower of his domestic castle reached.

When Herman II saved Sigismund's life in the battle against the Turks in Nicopolis in 1396,<sup>57</sup> the king rewarded him right after he returned home to Hungary by opening up Slavonia and Croatian Zagorje to Herman. In the summer of 1397 he granted him the town of Varaždin and the seigneuries of Vinica in the Drava basin and Vrbovec in Zagorje,<sup>58</sup> followed two years later granting him the county of Zagorje in hereditary fief,<sup>59</sup> when the Cillis duly added to their titles that of counts of Zagorje.<sup>60</sup> With the later acquisition of Medžimurje including Čakovec (in pawn in 1405) and the administration over the bishopric of Zagreb and Gradac in Zagreb (in 1406), the Cillis became one of the

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<sup>55</sup> See Krones 1883, 235 ff. (Stammtafeln); Grafenauer 1965, Genealogical tables XI and XIII; Orožen 1971, 137 ff. (very exhaustive); Dopsch 1974–1975, 14 ff.

<sup>56</sup> See note 64.

<sup>57</sup> See e.g. Orožen 1971, 213; Hoensch 1997, 83 ff.

<sup>58</sup> Klaić 1982, 25 ff. For a different opinion, see Budak 1994, 59.

<sup>59</sup> AS, CE III 90, 1399, I. 27.; Klaić 1982, 27 ff.

<sup>60</sup> E.g. AS, CE II 102, 1399, IX. 1.: *edel wolgebörn /.../ graf Hermann von Cili und in dem Seger etc.*

most important landowners in Slavonia.<sup>61</sup> When he was appointed ban of Slavonia and Croatia-Dalmatia (in 1406), Herman was appointed the king's representative and regent in the entire kingdom of Croatia.<sup>62</sup> Sigismund's foundation of the Order of the Dragon in 1408 illustrates the first peak of the power of the counts of Cilli: in the foundation charter, which lists the first twenty-four members of this new knightly order, Herman II, Count of Cilli and Zagorje, and his son Frederick II occupy the first two places in the list of the Hungarian barons, behind the first listed Serbian despot Stephen Lazarević, but before the count palatine Miklós Garay and the other magnates.<sup>63</sup>

Within the empire, however, Sigismund was able to oblige Herman only after he was elected king of Germany in 1410. He did so at the Council of Constance, where he arrived at the eve of Jesus' birth, December 24th, 1414, and ceremonially entered the town in the light of torches, accompanied by his wife Barbara and many high nobles, among others the count of Cilli, Herman II – carrying the golden apple, one of the symbols and insignia of royal authority, instead of the Rhineland count palatine and prince elector – and his son Frederick II, escorted by 29 knights and many esquires.<sup>64</sup> Sigismund here granted Herman of Cilli the right to blood justice in the county of Cilli on April 11th, 1415, and he was allowed to grant it to his judges and officials.<sup>65</sup>

<sup>61</sup> Klaić 1982, 33 ff.; Orožen 1971, 218.

<sup>62</sup> As in note 61. Herman later only carried the title of ban of Slavonia.

<sup>63</sup> Codex diplomaticus Hungariae 10/4, no. 317. Besides the royal couple, who founded the order and issued its foundation charter, the following members are listed: *Stephanus despoth, dominus Rasciae, item Hermannus comes Cily et Zagoriae, comes Fridericus, filius eiusdem, Nicolaus de Gara, regni Hungariae palatinus, Stiborius de Stiboricz alias vaiuoda Transylvanus, Joannes filius Henrici de Thamassy et Jacobus Laczk de Zantho, vaiuodae Transylvani, Joannes de Maroth Machouiensis, Pipo de Ozora Zewreniensis, bani; Nicolaus de Zeech magister tauernicorum regalium, comes Karolus de Corbauia, supremus thesaurarius regius, Symon filius condam Konye bani de Zecheen, janitorum, comes Joannes de Corbauia, dapiferorum, Joannes filius Georgii de Alsaan pincernarum, Petrus Cheh de Lewa agazonum regalium magistri, Nicolaus de Chak, alias vaiuoda Transylvanus, Paulus Byssenus, alter Paulus de Peth, pridem Dalmatiae, Croatiae et totius Sclauoniae regnorum bani, Michael, filius Salamonis de Nadasd comes sicularum regalium, Petrus de Peren, alias sicularum nunc vero maramorossensis comes, Emericus de eadem Peren secretarius cancellarius regius et Joannes filius condam domini Nicolai de Gara palatini.*

<sup>64</sup> Gubo 1888, 8; Gubo 1909, 94.

<sup>65</sup> AS, CE II 139, 1415, IV. 11., Constance: /.../ *das fur uns komen ist der wolgeboren Herman Greue zu Cili und im Seger unser lieber sweher und getrewer und uns diemutlich gebeten hat das wir im in seiner Graffschaft zu Cili den Pan über das Plut zurichten und den furbaß seinen richtern und amptluten von der hant zuleihen zuverleihen gedehlich geruchten /.../ und haben im [Sigismund to Herman II] /.../ den Pan über*

The right to blood justice in the county of Cilli had been a princely fief of the Cillis from the 1360s onwards,<sup>66</sup> and Sigismund's charter did not grant them any rights they had not enjoyed before.

The essential novelty however was that this fundamental right, sought after by every seigneur, was now granted to them by the king. It was thus granted to them by the empire and was an immediate imperial fief. This entailed that the Habsburgs as the princes of Styria were deprived of an important right in their relation with the Cillis. Formally, the Habsburgs no longer had any jurisdiction in matters of blood justice in the county of Cilli, and the Cillis were now Habsburg vassals only through the property they had in fief from them. The ties between the prince of the *Land* and the counts weakened and this was in line with the strategy of the Cillis, but also in the interest of Sigismund and his Luxemburg strategies, as is confirmed by another charter from the same period. Issued by Sigismund on April 2nd, 1415, it granted Herman II as an imperial fief Bleiburg Castle in Carinthia, which had supposedly fallen to the king as part of a legacy.<sup>67</sup> In reality, however, Bleiburg, including the castle, town and (local) territorial court, was a princely fief and the Habsburgs had acquired it from the lords of Aufenstein in 1361.<sup>68</sup> Anyhow, Herman refrained from putting Sigismund's grant into practice and Bleiburg remained in the hands of the Habsburgs.<sup>69</sup>

The two mentioned charters, issued to the benefit of the Cillis, stand in the context of a systematic strategy against the Habsburgs, aimed at hollowing out their power in the Inner Austrian *Länder* from within. The transformation of princely fiefs into imperial fiefs and granting of imperial immediacy to Habsburg's principal vassals and nobles could eventually end its princely lordship over the individual noble families and their territories. Charles's elevation of the counts of Sannegg-Cilli to imperial counts in 1372, described above, was part of this strategy and so was the granted right to blood justice, which the counts of Ortenburg received for all their seigneuries from King Wenceslas

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*das plut zurichten und den furbaß von der hant sinen Richtern und Amptluten zuverleihen gnedichlich verliehen und verleihen im den auch mit allen den rechten eren, nutzen und gewonheiten.* According to Regesta Imperii 11, no. 1595, Sigismund granted Herman of Cilli blood justice only in the Schmierenberg (where ?) seignury.

<sup>66</sup> See notes 15 and 50.

<sup>67</sup> Regesta Imperii 11, no. 1549.

<sup>68</sup> MC 10, nos. 565, 729, 878, 929, 1002, 1113.

<sup>69</sup> MC 11, nos. 78, 112, 132. etc.



(Sigismund's brother) in 1395;<sup>70</sup> Sigismund himself then granted imperial immediacy to their seigneuries in 1417.<sup>71</sup> Similarly, Sigismund bestowed on the counts of Gorizia the county of Gorizia and some other fiefs they held as imperial fiefs in Constance in 1415.<sup>72</sup> The County Palatine of Carinthia is explicitly mentioned among them, as the counts of Gorizia had actually received it in fief in 1339 from the Habsburgs as the dukes of Carinthia, not from the empire.<sup>73</sup> In 1431, Sigismund issued a charter to the counts of Montfort, who were also the lords of Pfannberg, stating that they could be tried only before the king's court.<sup>74</sup> The blood justice granted to the Ortenburgs in 1395 and the Cillis in 1415 was given to the lords of Wallsee as well by Emperor Sigismund in 1434,<sup>75</sup> even though they had been granted a similar, but princely charter already in 1413 or 1415.<sup>76</sup> The house of Wallsee had extensive seigneuries in the Kvarner Gulf and the Karst, where they had started to emancipate themselves from the Habsburgs: in the mid 15th century they already titled themselves "lords of Duino and the Karst," they had their own captain referred to with this explicit title, went as far as calling Duino a "county," and sealed their charters in red wax.<sup>77</sup> The culmination of this Luxemburg strategy against the Habsburgs was undoubtedly Sigismund's charter on the elevation of the counts of Celje to the princes of the empire (*Reichsfürsten*) in 1436, and it did not fail to draw fierce reactions from the Habsburgs.

One of the most important stages of the Cillis in their rise to the position of the princes of the empire was the acquisition of the entire inheritance from the counts of Ortenburg, who died out in the male line with the death of Frederick III on April 28th, 1418.<sup>78</sup> The basis for

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<sup>70</sup> Stowasser 1924, 150, supplement 3 (dated incorrectly); MC 10, no. 1014; Lackner 1991, 188

<sup>71</sup> Regesta Imperii 11, no. 2575; Stowasser 1924, 117; Roth 1952, 98; Lackner 1991, 190, 197.

<sup>72</sup> Ausgewählte Urkunden, no. 169.

<sup>73</sup> MC 10, no. 114. John, the abbot of Viktring, reports that the count of Gorizia Albert I received the palatinate of Carinthia in fief from the duke of Carinthia, his brother Meinhard IV, already in 1286 (*Iohannis abbatis Victoriensis Liber certarum historiarum* 1, 253, 293).

<sup>74</sup> Regesta Imperii 11, no. 8959.

<sup>75</sup> Ausgewählte Urkunden, no. 178.

<sup>76</sup> Doblinger 1906, 417, 421, 442 ff.

<sup>77</sup> Doblinger 1906, 501; Hauptmann 1929, 440.

<sup>78</sup> The date of Frederick's death is documented by the entry in the necrology of the Ossiach monastery Carinthia, whose advocates were the Ortenburgs; Lackner 1991, 191 and note 52.

this acquisition was an inheritance agreement from November 1377 made between the Cilli and Ortenburg counts in case of extinction of either house; in the charter issued by Frederick III with the consent of his uncle Albrecht, the bishop of Trento, he bequeathed to the Cillis the counties of Ortenburg and Sternberg in Carinthia and the entire property he had in Carniola (with the exception of Lož), including all the personnel of knights and all rights.<sup>79</sup> The determination of the two comital houses and the connection between them as it was expressed by this agreement was further strengthened by Frederick's adoption of Louis, the youngest son of Herman II, whom he appointed as his heir, but the young count died before his adoptive father.<sup>80</sup> Although Sigismund appointed the patriarch of Aquileia, Louis Teck, as the administrator of all Ortenburg seigneuries and guardian of Frederick's juvenile child already on May 10th, 1418,<sup>81</sup> Herman laid his hands on the Ortenburg inheritance soon after Frederick's death. Sigismund then allowed him on June 26th to keep possession of the already occupied imperial fiefs of the late Frederick,<sup>82</sup> and later, in Wrocław on February 29th, 1420, granted him, based on the inheritance agreement from 1377 and in the presence of numerous ecclesiastical and secular princes, the county of Ortenburg as an imperial fief in the male line, including all appertaining "seigneuries, lands, people, castles, courts, benefits and appurtenances."<sup>83</sup>

<sup>79</sup> AS, CE III 72, 1377, XI. 23.; *regestum* MC 10, no. 837. The charter contains the provision that the Ortenburg inheritance will fall to the Cillis only after the death of Bishop Albrecht, who however died already in 1390. The extensive *regestum* of the charter, issued on the same day by the counts of Cilli and which constitutes the second part of the inheritance agreement, is in MC 10, no. 838. The agreement on mutual assistance was made on the same day (again two charters; the one issued and sealed by Frederick III of Ortenburg, is in AS, CE II 12, 1377, XI. 23.; see note 51), while the count of Ortenburg and Bishop Albrecht, gave his consent to the agreements on inheritance and mutual assistance (AS, CE II 13, 1377, XI. 23.). See Meyer 1999, 86 ff.

<sup>80</sup> Cillier Chronik c. 8: *Der dritt* [the son of Herman II] *hies graff Ludwig, denselbigen der wohlgeborn graff Friedrich von Ortenburg ihn zu einem erben und suhn hett erwelt*. Unfortunately, we do not know when this happened. Louis is thought to have died in 1417.

<sup>81</sup> *Regesta Imperii* 11, no. 3163; Roth 1952, 99 ff.

<sup>82</sup> *Regesta Imperii* 11, no. 3287.

<sup>83</sup> AS, CE II 147, 1420, II. 29., Wrocław: *.../ wann nu die graftschaft zu Ortemburg die mit allen seinen herschaften shlossern nützen und zugehörungen von uns und dem heiligen Römischen Riche zulehen rüret von todes wegen des wolgeborenen Fridrichs grafens zu Ortenburg seligen ledig worden ist und wann wir des güt kundtschaft und underweisung haben das der wolgeborn Herman graue zu Czili und im Seger unser lieber sweher in solicher eynung mit dem vorgeanteten Fridrichen gewest ist das er die graftschaft zu Ortemburg billich erbet und nachfolget nach solichem herkommen als sy*

The Ortenburg inheritance enormously increased the power of the counts of Cilli. It was their biggest single expansion in seigneuries, people, rights, and revenues within the Inner Austrian *Länder*. The fief register of the Cillis from 1436–1447, which lists about half of Cilli's active fiefs of Ortenburg origin, clearly witnesses to the significance of this legacy.<sup>84</sup> Besides the county of Ortenburg-Sternberg and other properties in Carinthia, the Cillis acquired a large part of Carniola, including seigneuries, castles, and market-towns in Upper Carniola (Radovljica, Kamen, Pusti grad) and especially in Lower Carniola (Lož, Ortnek, Ribnica, Kočevje, Čušperk, Kostel, Poljane, Kravjek, Stari grad). In his function of the new senior Herman granted Ortenburg's old vassals their fiefs in Radovljica in the spring of 1421,<sup>85</sup> and the patriarch of Aquileia, Louis Teck, who resided in exile at the Cilli court after Venice's occupation of Friuli in 1420, invested Herman himself in 1425 with the Aquileian fiefs previously held by the Ortenburgs (Lož, Ortnek, Poljane, Kostel, Čušperk, Sternek), and simultaneously confirmed the Aquileian fiefs the Cillis had held "of old" (Gornji Grad, Mirna, various tithes).<sup>86</sup> As the Cillis had other property in Carniola in the form of allods, fiefs or in pawn (e.g. the seigneuries of Polhov Gradec and Smlednik in Upper Carniola, and the entire former Gorizian county in the March and Metlika, which the Habsburgs had pawned to them for 20,000 gold coins before 1383),<sup>87</sup> a quite realistic opportunity now existed for Carniola (of which, according to the Josip

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*dann beydersyte ir grafscheffte und herscheffte von langen zyten gegen einander verschriben und vermacht haben /.../ haben wir im /.../ die vorgenante graftschaft zu Ortemburg mit allen herschefften landen luten slossen gericht nützen und zugehorungen als die den obgenanten graf Fridrich besessen und ynnegehabt hat nicht ausgenommen gnedichlich erblich verliehen und verliehen im die ouch von Römischen kuniglicher macht was wir im daran von gnaden oder rechts wegen reichen und liehen solten oder mochten diselb graftschaft zu Ortemburg mit irer zugehörung mit aller sinen erben mannesgeschlechte erblich und zu rechtem manslehen zuhaben zuhalten und die ouch zubesitzen und zugenysen /.../; MC 11, no. 28; Regesta Imperii 11, no. 4040. The "county of Ortenburg" of course refers to all the Ortenburg seigneuries, not only those in Carinthia; see Lackner 1991, 195 ff.*

<sup>84</sup> AS, Zbirka rokopisov, I–3r (*Lehen der Graueschafft Cilli*); I–57r; 1–2r (*Lehenspuch der Grafschafft Ortemburg*); Roth 1952, 102.

<sup>85</sup> See Otorepec 1995, 24.

<sup>86</sup> AS, CE II 159, 160 161, all 1425, V. 6.; and AS, CE II 162, 1425, V. 13.

<sup>87</sup> AS, CE II 47, 1383, V. 20., Bolzano. The duke of Austria, Leopold III, allows the counts of Cilli, Herman I, Herman II, and William to have "Metlika," which the Cillis had in pawn from the Habsburgs against 19,200 gold coins, spend part of the amount on Anne of Krakow, the daughter of the king of Poland, Casimir, and wife of count William. See Štih 1999e, 137 ff.

Žontar, the Cillis controlled three quarters<sup>88</sup>) to become incorporated into the principality of Cilli.<sup>89</sup> Another reflection of the strongly threatened position of the Habsburgs in Carniola is probably also the fact the Carniolan nobility was granted a Golden Bull – the confirmation of the *Land's* charters by Frederick III, the prince on the Inner Austrian *Länder* – only in 1460, after the fall of the Cillis and after the struggle for their legacy had ended, at a time when the circle of Habsburg's Carniolan nobles was considerably wider than in 1443 or 1444, when the other two *Länder* of Inner Austria, Styria and Carinthia had received their Golden Bulls.<sup>90</sup>

Sigismund's granting of the county of Ortenburg as a hereditary fief to the Cillis belongs to the now familiar context of the Luxemburg strategy against the Habsburgs, because the county of Ortenburg was given the status of an imperial fief for the first time, and the Cillis were now directly connected with the crown by the two counties they had in the empire. As far as we know, the Habsburgs did not protest against the investiture of Herman of Cilli, although they could have claimed that the castles and seigneuries of Sternberg and Liebenberg in Carinthia, and those of Kamen, Čušperk, Ortnek, Poljane and Kostel in Carniola, the advocacy over the monastery of Ossiach, and two (local) territorial courts were actually Habsburg princely fiefs in Ortenburg possession, and that the right of investiture belonged to them.<sup>91</sup>

<sup>88</sup> Žontar 1966, 300.

<sup>89</sup> Hauptmann 1929, 440.

<sup>90</sup> Vilfan 1993, 4 ff.

<sup>91</sup> With the death of Herman IV in 1338, the male line of the Meinhard branch of the counts of Ortenburg died out and the property listed in the text fell to Otto V and his nephews Henry, Frederick and Otto, who for this reason ran into a dispute with the Habsburg dukes and agreed to arbitration on February 17th, 1338 (MC 10, no. 74), whereupon they received the mentioned property as a princely fief (HHStAW, AUR, 1338, VIII. 7., Villach: *.../und darumb habend sy [dukes Albrecht and Otto] uns und unsern erben verlihen ze rechtem lehen alle die hab die unser vetter graf Hermann seliger von Orttemburg von in ze lehen gehabt hat /.../*; copy: StLA, Ms. 2967). This of course raises questions about Čušperk, Poljane, Ortnek, and Kostel, which were all Aquileian fiefs in Ortenburg possession; in 1336, Patriarch Bertrand invested Otto V, as the senior of the house of Ortenburg, and his nephews with the mentioned fiefs. It is unclear how and why these Aquileian fiefs (again documented as such in 1425; see note 86) are mentioned as princely fiefs. What is certain is that Bertrand, the patriarch of Aquileia was in Villach at the time the Ortenburgs received these fiefs from the dukes of Habsburg, and that he extended the union with the dukes Albrecht and Otto one day earlier (MC 10, no. 85; see Lackner 1991, 184 and note 15). This is indeed the very charter, dated August 7th, 1338, which the Habsburgs later used as one of their arguments to protest against Sigismund's elevation of the Cillis to imperial princes in 1436. See Pirchegger 1931, 50 and note 121.

Nevertheless, they acknowledged the Cillis as counts of Ortenburg, and the Cillis added this to their titles.

The power, prestige, and imperial immediacy of their fiefs were the factors allowing the counts of Cilli to more or less free themselves from the personal and territorial union of the Habsburg dukes by 1420 and establish a sort of extraterritorial position. From the 15th century onwards, the preserved lists of nobles of the Styrian Estates perfectly reflect this condition. The oldest such list – *Nomina dominorum et militarium* – dates from the first decade of the 15th century and includes Styria, Carinthia and Carniola, but is probably incomplete.<sup>92</sup> The Styrian list starts with Count Ulric of Monfort, followed by the leading lords of the *Land*, those of Pettau, Stubenberg, Liechtenstein, etc. The Cillis – one would expect them to occupy the first places – are absent from the list. Nevertheless, the Cillis did belong to the territorial nobles at the time, but Herman II, who was the then governor of Carniola, occupies the first place in another, the Carniolan, list. Ten to twenty years later, the picture was quite different. A register of the Styrian nobles (*landleut*) from 1422 contains 291 names, but not the counts of Cilli.<sup>93</sup> Because the important lords of Stubenberg, who were often holders of the *Land*'s offices, are also missing from the list, a possible explanation may be that the list is incomplete. However, that does not seem to be the case, for Duke Ernst the Iron indeed issued a summons (*Aufgebot*) to the Styrian army (of the nobility) to assemble in Carniola on January 18th because of the Turkish threats. Once more, the Cillis are absent from the list that is headed by the lords of Pettau, Stubenberg, and Liechtenstein.<sup>94</sup>

Even more interesting are the two lists of Styrian nobles made up in 1424, on the occasion of the hereditary homage to Frederick IV (of Tyrol or “the Elder”), who after the death of his brother Ernst the Iron assumed lordship in Styria as the guardian of Ernst's juvenile sons Frederick V (the Younger; later as a king Frederick III) and Albrecht VI. The first document is a list of the 139 Styrian nobles (lords, knights, and squires) who received an official invitation to pay homage to the new prince of the *Land* in their capacity of territorial nobles. The list is

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<sup>92</sup> Krones 1900, 233–237 has an incomplete list for all three *Länder*; Mell 1929, 298 and note 114 a complete list for Styria only. See also Pirchegger 1931, 204 and note 173; Feldbauer 1971, 62 ff.

<sup>93</sup> Published as a supplement by Pirchegger 1931, 529 ff.

<sup>94</sup> Die ältesten steirischen Landtagsakten 1, no. 11.

headed by the counts of Cilli Herman II and his son Frederick, and they are followed by Frederick of Pettau, five Stubenbergs, three Liechtensteins, etc.<sup>95</sup> The hereditary homage took place on November 13th, 1424, in Graz and the second list contains the names of the people who actually attended it. It lists 150 persons who swore the oath of loyalty to Frederick IV. Among them are several names that are not on the list of invitees, but on the other hand several persons, who were invited, are missing from this list and obviously did not take the oath. The most remarkable absentees are of course the two counts of Cilli.<sup>96</sup>

Clearly, the Cillis did not consider themselves Styrian nobles, as there is no other explanation for their absence from the hereditary homage, the ceremony that expressed the union between the prince and the *Land* (the territorial nobility) in the most representative and symbolical way. The principal reason or argument for their absence from the hereditary homage was probably provided to the Cillis about one year earlier: Duke Ernst renounced his feudal lordship (seniority) over them in Radkersburg on December 18th, 1423, turning Sannegg's old allodial core property (Žovnek, Ojstrica, Šenek, and Libenštajn), which had been a princely fief from 1308, once more into an allod of the counts of Cilli. In formal legal terms the renunciation of his feudal seniority consisted of Ernst obliging himself to submit to the Cillis the charter by which Ulric of Sannegg had ceded his allodial property to Duke Frederick in 1308 and declaring the charter null and void.<sup>97</sup> Whether this really occurred under pressure of King Sigismund, as is mentioned in the literature, is not clear.<sup>98</sup> In order to obtain the charter Herman however did restore to Ernst 14 seigneuries which the Cillis had in pawn from the princes of the *Land*, meaning that he paid a very high price for it.<sup>99</sup>

<sup>95</sup> Mell 1929, 149 and note 750.

<sup>96</sup> Mell 1929, 150 and note 752.

<sup>97</sup> StLA, Ms. 2967, charter 1423, XII. 18., Radkersburg: *./.../ und haben [Ernst] im [Herman II] ./.../ von aigem guten willen versprochen den brief den wir haben von weilnt Ulrichen freyen von Senekg, daz die veste Senekg die veste Osterwitz und die turmen Scheynek und Lyebenstein und was darzü gehoret von uns und dem haws Osterreich zu lehen sein sullen ./.../ uberzegeben und zeantwurten ungeuerlich ./.../*. Cf. Pirchegger 1931, 50 and note 22; Dopsch 1974–1975, 32 and note 118.

<sup>98</sup> Pirchegger 1931, 42; Roth 1952, 113; Dopsch 1974–1975, 22. To the contrary, the charter's text even mentions Ernst's goodwill, but this can be interpreted as an ordinary phrase, common in charters.

<sup>99</sup> Cillier Chronik, c 45; Pirchegger 1962, 192 and note 68. According to the Cilli Chronicle the restored pawned seigneuries included Wildon and Radkesburg in Styria

Even so, if he wanted to rise to the ranks of the princes of the empire (*Reichsfürsten*), he had to get hold of the charter at any price. According to feudal law as a segment of the general legal order, expressed in various *Mirrors* of the High and Late Middle Ages, the princes of the empire were indeed ranked right behind the king in the feudal hierarchy (*Heerschildordnung*) and were second by “shield” or rank, but their rank dropped if they were vassals of other secular princes, and this automatically meant that they were not the princes of the empire. The rule of course did not apply to ecclesiastical fiefs.<sup>100</sup> The termination of their feudal dependence on the Styrian, Carniolan, and Carinthian dukes and princes removed one of the last obstacles to the elevation of the counts of Cilli to the princes of the empire – an act for which the king usually required the agreement of all other princes of the empire, including the Habsburgs.

As we can see from the concept of the charter dated May 1st, 1430, which was never issued, Sigismund at that time already wanted to elevate the counts of Cilli to princes of the empire and their counties and seigneuries to a principality.<sup>101</sup> Why this did not happen is beyond our knowledge. We can only assume that the attempt failed because of opposition from the Habsburgs. The later events accompanying the elevation of the Cillis to princes in 1436 show indeed that the Habsburgs fiercely opposed their elevation to princes of the empire. Sigismund nevertheless granted Herman and the house of Cilli the regalian right to extract and process ore in all their seigneuries.<sup>102</sup>

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and Kranj, Kamnik, Postojna, Novo mesto, Kostanjevica ob Krki, Štatenberk, Višnja Gora, and Goričane in Carniola. Two charters (AS, CE II 178 and 179, 1431, VII. 15.; 1433, I. 6.) however show that the Cillis restored Kostanjevica, Višnja Gora, Štatenberk and Novo mesto only in 1431. The dukes of Habsburg had pawned these four seigneuries to the Ortenburgs and the pledge was passed on to the Cillis together with the inheritance; Chmel 1840, 154; Orožen 1971, 222.

<sup>100</sup> Sachsenspiegel 244, no. 160: *Des rikes vorsten ne scolten nenen leien to herren hebben, wan den koning*; Mitteis, Lieberich 1988, 181.

<sup>101</sup> The charter is entered in the register of the king's chancery (HHStAW, Reichsregistraturbuch J, fol. 133) and published in *Regesta Imperii* 11, no. 7678, and in *Materialien zur österreichischen Geschichte* 1/1, no. 64. On the issues of this concept, see Roth 1952, 117 ff.

<sup>102</sup> AS, CE III 128, 1431, III. 27., Nuremberg: */.../ der wolgeboren Herman graff zu Cilli und im Seger /.../ hat furbringen lassen, wie er bey seinem sloß Sternberg und andern seinen slossern artz gefunden hab und hat uns gebeten im zu gunnen dasselb zu treiben und zu arbeiten lassen /.../ so haben wir den egenanten grauen Herman und seinen erben gegunnet und erlaubt, gunnen und erlauben von Romischer kuniglicher macht in kraft ditz briefs, das sy bey iren slossern, es sey Sternberg oder an anderen enden und guter umberall in iren herscheften gold silber pley kupfer tzin eysen oder was das sey graben*

The granting of this regalian right was little consolation to the Cillis as they already held that right as heirs of the Ortenburgs.<sup>103</sup>

Five years after his first abortive attempt at elevating the Cillis, Sigismund, who had become emperor in the meantime (in 1433), summoned his ageing father-in-law Herman to Bratislava, where he wanted, in the words of the Cilli Chronicle, to “make him a princely count.” Herman indeed travelled to Bratislava in the summer of 1435, where he issued a charter for the monastery of Millstatt on July 17th.<sup>104</sup> But he soon “fell so seriously ill that neither doctors nor anyone else could help him” and he died on October 13th, 1435.<sup>105</sup> Perhaps only shortly before his death, he was ceremonially handed a relatively plain charter on his elevation and that of his heirs to the princes of the empire and the banner as symbol of a princely fief. The charter, which was once in the archive of the counts of Hardegg in Seefeld but is today missing, was dated September 27th, 1435 and in Wilhelm Altmann’s opinion it was “a chancery forgery,” although this is not necessarily true, as Otto Roth pointed out.<sup>106</sup> By this charter Sigismund elevated

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*ufheben und arbeiten mogen und wollen /.../. Reg.: Materialien zur österreichischen Geschichte 1/1, no. 74; Regesta Imperii 11, no. 8399.*

<sup>103</sup> The counts of Ortenburg had the regalian right of mining already in the 14th century since they issued a mining regulation for Jesenice in 1381, renewed by Frederick II of Cilli in 1452; Müllner 1909, 374 ff.; Vilfan 1968, 120 ff. The counts of Gorizia also held regalian rights before they were made princes of the empire and lords of the *Land*. See Štih 1994b, 26 ff.

<sup>104</sup> Roth 1952, 119 and note 4.

<sup>105</sup> Cillier Chronik c. 14. The chronicle has an incorrect date of death (1434).

<sup>106</sup> Regesta Imperii 11, no. 11199. Altmann’s principal arguments that the charter is a forgery are that it is not entered in the register of the king’s chancery, and that Marquardus Brisacher, who is mentioned as the registrar was already a pronotary at the time. Furthermore, there is an obvious difference in quality compared to the third charter on the elevation of the Cillis from November 30th, 1436, where the county of Ortenburg is also mentioned as a banner fief, and where the Cillis are explicitly granted the right to a nobility’s court and regalian rights of mining and minting. But these facts can also be explained in the way proposed by Roth 1952, 119 ff.: the concept was already prepared at the time when Brisacher was the chancery’s registrar (before July 8th, 1435), but Herman was then summoned to Bratislava, where he fell seriously ill and, pressed for time, the prepared concept was only given a new date and handed over to Herman as an issued charter. The difference in quality compared to the charter from 1436 can be explained by later additions and corrections. Altmann’s argumentation has another flaw: after July 8th, when he is first mentioned as pronotary in an imperial charter (Regesta Imperii 11, no. 11125) Brisacher is nevertheless referred to as registrar on several occasions (Regesta Imperii 11, no. 11134, 11150, 11158, 11178) and he is even mentioned in this function in the charter on the elevation of the Cillis in Prague from November 30th, 1436 (see note 108). This means that he must have performed both offices simultaneously for some time and that the reference to Brisacher as



Herman, Frederick, Ulric, and their heirs to princely counts and the county of Cilli to a princely banner fief and principality of the “Holy Empire,” granting the Cillis the same rights and honours as all other princes of the empire.<sup>107</sup> Regardless whether the charter was genuine or not, and whether Herman and the Cillis were really made princes in Bratislava, it remains a fact that towards the end of the following year the emperor (once more) elevated the counts of Celje Frederick and Ulric to the princes of the empire. We can only guess why, if the charter from September 27th, 1435 was indeed genuine.

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registrar in the charter from September 27th, 1435 does not necessarily allow the conclusion that it is a forgery. It also means that the concept was not necessarily written before July 8th, 1435, a Roth assumes.

<sup>107</sup> Das Fürstendiplom der Grafen von Cilli, 279 ff. As this important charter is unknown in a great deal of the literature, I here quote the essential section of the charter's *dispositio*: /.../ So haben wir [Sigismund] die vorgenanten Herman, Friedrichen vnd Vlrichen Grauen zu Czili, vnd alle vnd igliche Ir erben, erbserben, vnd nachkomen Gefürstet vnd zu Gefürsten Grauen geschepft, erhaben gesetzt, vnd gemacht, schepffen, setzen erheben vnd machen in kraft diß brieffs, vnd Romischer keiserlicher macht volkommenheit, als wir dann vff heutt datum diß briefs, do wir wirdlich allhie in vnserer Maiestat sassen getzieret mit keiserlicher wate, vnd andern herlichkeiten als sich geburet den egenanten Graf Herman vnsern Sweher, mit vnser hant, vnd reichung des banyrs, in dem namen des Almechtigen gots loblich erleuchtet vnd geschepfet haben, Ouch setzen, schepffen vnd machen wir von der Romischenn keiserlichen macht vnd rechter wissen dieselben Grafschaft zu Cili in Iren herschafften, gebieten, gericht, gutern, zugehorungen, gemerken und zilen, als dann die in des egenanten vnsern lieben hern vnd vatters keiser Karls seligen brieuen vß gemessen, vnd in Iren zilen berüret vnd eigentlich begriffen sind vnd auch andere herschaft die die egenanten Grauen von Cili in dem heiligen Romischen Reich haben vnd besitzen, dauon Sy wol fursten gesein, vnd sich als fürsten halten mogen zu einem rechten vnd waren fürstentum Also das wir solicher keiserlicher scheppfung vnd gesetztes craft wegen die obgenanten Herman Friderich vnd Vlrich alle Ir rechte lehenserben vnd nachkomen ewichlichen fursten vnd Gefürsten Grauen genant sein vnd bliben wollen vnd sollen Vnd die obgenanten Grafschaft vnd andere Ire land graf-schefft vnd herschaft, als ein fürstentum des heiligen Reichs, vonn vns, dem Romischen Reich, vnsern nachkomen Romischen keisern vnd kunigen zu Rechtem fürsten lehen altzeit zu gewonlichen zeiten mit vffgerekten Banyrn als andere vnser vnd des Reichs fürsten empfan halten, vnd gernlichen besitzen sollen vnd mogen, on allerley, hinder- nuß vnd ouch das Sy alle vnd ygliche recht, Er, wirdikeit, freiheit, gewonheit, vrteil, vnd öbung, in gericht, vnd ößwendig gericht für dem Romischen Reich vnd an allen andern stetten, vnd enden wie sich das ymmer geburen mag, haben, üben vnd der gantzlichen gebrauchen sollen vnd mogen, die andere fürsten vnd Gefürsten Grauen des Romischen Reichs durch recht, vnd gewonheit, nach sytten der land haben, halten, vnd der ouch geniessen vnd gebrauchen, von allermennlich vnghidert Vnd dorumb von keiserlicher macht, gebieten wir allen fursten Geistliche vnd Werntlichen, Grauen, Freyen, Edeln vnd andern des heiligen reichs vndertanen vnd getrüen ernstlich vnd vestichlich mit diesem brieff, das Sy die egenanten Herman, Fridrich vnd Vlrich Grauen zu Cili etc. vnd alle Jr erben vnd nachkomen ewichlich vnser vnd des Reichs fursten vnd Gefursten Grauen von Cili nennen.

*The Elevation to Princes and the Conflict with the Habsburgs*

The solemn charter on the elevation to the princes of the empire (*Reichsfürsten*), sealed with the emperor's great seal, was issued in Prague on November 30th, 1436<sup>108</sup> and is now part of the former archive of the counts and princes of Cilli that is kept in the Archives of the Republic of Slovenia, Ljubljana. At the time the charter was issued, the duke of Inner Austria and prince of the *Land*, Frederick V, was on a pilgrimage to Palestine that lasted several months and which he had started by embarking a ship in Trieste on August 10th, 1436.<sup>109</sup> Sigismund took advantage of his absence to circumvent an obstacle he could otherwise hardly have overcome: Frederick's agreement as prince of the empire and at the same time the person most affected by the entire matter concerning the elevation of the Cillis to princes. Unlike his previous attempts at elevation, the event in Prague was given a distinctly public and solemn character. The elevation of the counts of Cilli to the princes of the empire and the foundation of the principality of Cilli (through the handover of the charter and the two banners) took place in Prague's Old Town Square. As Frederick II of Cilli was absent, his son Ulric II was the only member of the family present, as was of course the emperor, sitting on his throne, and the assembly of ecclesiastical and secular princes of the empire.<sup>110</sup> In the charter Sigismund first made the counts of Cilli to the princes of the empire and elevated them to the status of princely counts. He then declared the counties of Cilli and Ortenburg-Sternberg two banner fiefs, which the Cillis held together with "*ander ire lannd und herschefft*" as their principality in fief from the sovereign and the empire. The emperor further granted the Cillis the right to their own nobility's court in Celje (or somewhere else) as the court for all the nobles "sitting and residing in their lands, counties and seigneuries," and conferred on them also regalian rights

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<sup>108</sup> AS, CE II 190, 1436, XI. 30., Prague. Published, but without the insertion of the charter of Emperor Charles IV on the elevation of the Sanneggs to counts of Cilli from December 30th, 1372, in *Ausgewählte Urkunden*, no. 180. A copy (equally without the insertion of Charles's charter) is in the Cilli Chronicle (Cillier Chronik, 163 ff.; the essential section of the charter's *dispositio* is copied in the Cilli Chronicle again in chapter 14.). Reg.: *Materialien zur österreichischen Geschichte* 1/1, no. 164; *Regesta Imperii* 11, no. 11542.

<sup>109</sup> Chmel 1840, 279 and note 3.

<sup>110</sup> See the text of the charter. The event was also registered in Bohemian annals: *Die zeitgenössischen Quellen*, 73.

of minting and mining. The Cillis were now also entitled to the title of princes and to being addressed as “*Hochgeboren*” instead of the lower ranked “*Wohlgeboren*.” In practice, the Cillis added to their title of counts “by God’s mercy.”<sup>111</sup>

Otto Brunner saw the above described charter as “an attempt at forming a *Land* that ultimately did not succeed.”<sup>112</sup> The explicit grant of the two regalian rights was not really significant because the Cillis already had the regalian right of mining, which implicitly contained the right of minting resulting from the provision that they had the right to process the extracted ore and metals. The elevation of the two counties to princely banner fiefs was of greater significance. The small rectangular banner symbolised investiture with a secular banner fief (from the Concordat of Worms in 1122, the symbol of an ecclesiastical banner fief was a sceptre), and originally symbolized military lordship and protection of the peace which was inseparably connected with high justice, later with the (regalian) rights deriving from and granted by the sovereign. The symbolical meaning of the banner is clearly demonstrated, among other things, by the funeral ceremony in the Minorite monastery in Celje following Ulric’s death in 1456. As his death meant the extinction of the house of Cilli, five banners were spread out on his coffin and the altar (the Cilli, Ortenburg, Sannegg, and Zagorje banners, and a fifth, black mourning banner). The ceremony concluded with the following act: someone called out three times “The counts of Cilli today and never more!” over a knight (*geharnischer mann*) laying on the floor and broke one of the banners (but which one?) on the knight’s armour.<sup>113</sup> The particular importance of a banner fief is quite evident already in the legal books of the High Middle Ages (the “Mirrors”), where the granting of a banner fief by the emperor is usually understood as a precondition for elevation to the ranks of the princes of the empire. A banner fief could not be shared, its granting was mandatory (the sovereign was not allowed to keep a banner fief vacant for more than a year and a day), and only the sovereign could grant a banner fief: according to the provisions of the Golden Bull of 1356, in times of “*sedisvacance*” the count palatine of the Rhineland

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<sup>111</sup> E.g. AS, CE II 196, 1437, XI. 4.: *Wir Friedreich von gots gnaden graf ze Cili und Ortenburg und in dem Seger etc.*

<sup>112</sup> Brunner 1965, 217.

<sup>113</sup> Cillier Chronik, c. 33.

had the right to grant fiefs as the administrator of the empire, but princely and banner fiefs were exempted.<sup>114</sup>

The undoubtedly most important, explicitly granted right in the charter was the right to a nobility's court "where all the nobles, who sit and reside in their (Cilli's) lands, counties and seigneuries, and others can defend themselves at this nobility's court and exercise and obtain justice." If the granted regalian rights interfered in any way with the rights of the dukes of Austria, they did not affect their princely lordship, considering that there were other nobles who had held such rights earlier, as the above-mentioned case of the Ortenburgs demonstrates. The new nobility's court (in Celje), on the other hand, meant that the judicial authority over the nobles from Cilli's counties and seigneuries would no longer lay with the Habsburg dukes as the princes of the Inner Austrian *Länder*, but would be vested in the count of Cilli as the new prince of the *Land*. And it was this move – according to Brunner's understanding of a *Land* – which constituted the final break away of the territories of the old *Länder* whose nobles started to recognize the nobility's court of the Cillis as their court, and where a special Cilli law of the *Land* could start to develop. At the same time, this created the conditions for the formation of a new *Land*, the *Land* of Cilli.<sup>115</sup>

How the interests of Duke Frederick V were actually affected is obvious from a case involving the Cillis themselves. Even though the Cillis wanted to break away from the union of *Länder* of the Habsburg dukes at any price, were no longer mentioned in the lists of Styrian territorial nobles after 1420, did not pay homage to the new duke of Styria, and had a sort of extraterritorial position, they nevertheless recognized that the nobility's court in Graz had jurisdiction over them until their elevation in 1436. As late as May 21st, 1436, Frederick II of Cilli indeed appeared before the nobility's court in Graz as a party in the matter of the settlement of his late father's debts.<sup>116</sup> But when after the elevation

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<sup>114</sup> See *Sachsenspiegel*, 238 ff. no. 155, 244 no. 160, 245 no. 162; *Bulla aurea Karoli IV. imperatoris*, cap. V/1; Appelt 1976, 42 ff.

<sup>115</sup> Brunner 1965, 217 ff.

<sup>116</sup> AS, CE II 186, 1436, V. 21. The governor of Styria Hans of Stubenberg documents *.../ das der edel wolgeborn Graff Fridreich von Czily alls hewt vor mir ze Gretz vor dem Rechten zu dem Vierden mal melden und beruffen lassen hat. Er hab vormalln in offner Schranh hie ze Gretz vor dem Rechten drey rechttag nacheinander melden und beruffen lassen ob yemand war Kristen oder Juden die brief und Insigel heten von dem edeln wolgeborn Graff Hermann von Czily seinem Vater seligen umb gelt schuld oder umb anderlay Vorderung /.../*. See also AS, CE III 141, 1436, V. 21., where governor Hans of

his vassal Jost Auer sued Frederick before the same court for having deprived him of his fief, Frederick II of Cilli wrote in his answer to Duke Frederick V that it is known that Auer's property, which is a Cilli fief, lies in the princely county of Cilli, granted to them by the empire, and that only he (like his ancestors) has jurisdiction over Auer and all the nobles of the county, and that he does not intend to defend himself before him (the duke) or his nobility's courts in this or any other matter, but that the only competent court for him is the king's court.<sup>117</sup> From his elevation onwards, Frederick thus recognized only the jurisdiction of the king's court, and in matters concerning the county of Cilli only his own nobility's court, where he would exercise justice himself! But this did not end the matter and it dragged on until 1441. It was indeed an exemplary case and judicial precedence in which both sides attempted to assert their princely rights.

When Frederick V returned home at the end of 1436, he of course had to protect his princely interests and could not recognize Sigismund's charter, which granted the Cillis such important rights. Unlike others,<sup>118</sup> he did not accord to the Cillis the form of address that was usual for princes, continuing to address Frederick and Ulric of Cilli with

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Stubenberg has it documented that the Styrian registrar Leopold Aschbach submitted in the name of Duke Frederick V to the court a promissory note issued by Count Herman II of Cilli.

<sup>117</sup> *Materialien zur österreichischen Geschichte* 2/2, no. 28 (1437, VII. 22.): /.../ *Nu ist wissentlich, das derselb Türen und Sicz in vnserer gefürsten Grafschafft Cili, die wir von dem heiligen Römischen Reich, vnd von nymand andern haben gelegen vnd auch von vns zu lehen ist, als den auch derselb Awer yecz newlich, als wir vnser lehen gelihen haben von vns hat emphanen, wann all vnser voruordern vnd wir vber den benanten Josten Awer vnd sein vordern ye vnd ye als vber ander vnser Edl lewt in derselben vnser Grafschafft gesesen gewltklich ze bieten gehabt haben, des wir vns auch noch also billich halden. vnd hoffen das wir von nymanden von solhen vnsern rechten vnd freyhaiten gedrunge werden, Darczu so hat der benant Awer selb merklich sachen als Ir das vormalen an vnserm schreiben vernomen habt, gehandelt dadurch wir vns wol billich seins hofs vnd guts vnderwunden haben und wissen vns auch von der noch anderer sach wegen nichts vor ewer, noch in ewer lanndschranken ze verantwortun, wann hat yemand zu vns icht zu sprechen Darumb wellen wir vns verantwortun vor vnserm herren dem Kaiser.* There were several other such cases in this period, where the counts of Cilli or Cilli nobles were supposed to defend themselves at the nobility's courts of Frederick V. The accused of course never showed up at these courts. See Chmel 1840, 286 ff.; Gubo 1909, 113 ff.; Pirchegger 1931, 51 and note 23; Roth 1952, 134 ff., 159 ff.

<sup>118</sup> The Cillis were addressed with *hochgeboren* (*Fürst*) by Emperor Sigismund (*Materialien zur österreichischen Geschichte* 1/2, no. 26 (1437, V. 31.), the patriarch of Aquileia, Louis Teck (who, however, resided at the Cilli court) already on July 16th, 1436 (AS, CE II 188), the counts of Gorizia (AS, CE II 191, 192, 1437, III. 14.), and of course all Cilli vassals.

“*wohlgeboren*.”<sup>119</sup> Because the elevation of the Cillis had presumably encroached on the rights of the dukes of Austria, Duke Frederick V immediately complained with Sigismund, but we have no knowledge of the complaint’s text.<sup>120</sup> According to the Cilli Chronicle, what the Habsburgs contested most of all was that the emperor had appointed, without obtaining their permission and agreement, princes in their principalities and *Länder* – the county of Cilli was indeed in their *Land* and principality of Styria, the counties of Ortenburg and Sternberg were in their principality and *Land* of Carinthia, where only they were princes<sup>121</sup> – and that this was against the privileges granted to the house of Austria.<sup>122</sup> Frederick’s final objective was the annulment of the elevation of the Cillis to the princes of the empire,<sup>123</sup> even though he later, as we will see below, agreed to a compromise in this matter in which both sides had to step down from their maximum demands.

<sup>119</sup> Mentioned already in the Cilli Chronicle (Cillier Chronik, c. 15). Surprisingly, Frederick continued to refuse to address the Cillis with *hochgeboren* even after he himself as king had again elevated them to princes and princely counts in August 1443 (e.g. AS, CE II 227, 1443, IX. 21., Graz: /.../ *zwischen vns vnd den wolgeboren Fridrichen vnd Vlrichen grauen zu Cili zu Ortenburg vnd in dem Seger etc. vnsern fürsten vnd lieben getrewen /.../*). Another interesting circumstance is that according to a list used in Graz around 1430, which enumerates the usual titles of high ecclesiastical and secular lords, Herman II was entitled to be addressed as *Dem hochgeworen vel wolgeworen hern. Graf Hermannen Grafen ze Cili vnd in dem Seger*; Pratobevera 1854, 101.

<sup>120</sup> The complaint presumably included an addendum in the form of a small notebook containing a list of seigneuries and copies of five charters (issued by Ulrich of Sannegg in 1308, Catherine of Sternberg in 1311, the counts of Ortenburg in 1338, Duke Albrecht in 1365, and Duke Ernst in 1423), all meant to provide evidence of the Habsburg rights; StLA, Ms. 2967; see notes 91, 97 and Pirchegger 1931, 50 and note 22.

<sup>121</sup> Cillier Chronik, c. 15. The Cillis were also accused of having illegally assumed the Ortenburg inheritance (county), since it belonged (as a princely fief, see above note 91) to the prince of the *Land*.

<sup>122</sup> This opinion is explicitly expressed in a charter of the dukes of Inner Austria, the brothers Frederick V and Albrecht IV, from May 1st, 1438, by which they agreed to their relative and German king Albrecht V as arbitrator in their dispute with the princes of Cilli; Materialien zur österreichischen Geschichte 1/2, no. 32: /.../ *Vmb daz Si sich [the Cillis] wider vnser, vnd des hawss Österreich freyhait, brief, vnd gnaden habend lassen fursten auf die herrschaft Cili vnd Ortenburg, die in vnsern fustentumben, Lannden, vnd gwaltsamen gelegen sind*.

<sup>123</sup> At least that is how the unknown writer of an Austrian chronicle reports on Frederick’s intention; Eine unbeachtete Chronik Österreichs, 543: /.../ *wann /.../ kaysers Sigmund das haws Osterreich ubergrieffen, daz er die graven ze Cili ze fursten erhohet hiet; darumb gedacht er [King Frederick] in [the Cillis] furstenstand abczenemen, daz sy neben herczogen ze Osterreich nicht solten fursten genennet werden, seid derselben graven grafschafft und herschafft, auf sy ze fursten des heiligen Romischen Reichs geschepfet sein gebesen, in herczogtumen der herczogen ze Osterreich gelegen wëren*.

Emperor Sigismund sharply responded to the complaint of Duke Frederick V on May 31st, 1437, stating that this was the first time he was told that the Cillis were subordinated to the house of Habsburg, and that according to the information he had received from the Cillis and their envoys, things were in fact quite different. He therefore resolutely demanded that Frederick acknowledge the princely title to the Cillis, pointing out that he would consider his disobedience in this matter as interference with his imperial lordship. What Sigismund actually wanted to make clear was that the elevation of the Cillis was an exclusive matter of imperial lordship and that he did require no agreement whatsoever from Frederick for this act.<sup>124</sup>

Even so, this was already the time when both sides were seeking allies for the imminent, apparently inevitable conflict. In March 1437, the Cillis made an agreement on succession and guardianship with the counts of Gorizia, thus counterbalancing all related advantages the Habsburgs may have gained from a similar agreement they had made with the Gorizians one year earlier.<sup>125</sup> Frederick V, on the other hand, concluded a ten-year military alliance with the Frankopan counts in Croatia, who obliged themselves to assist the prince of the *Land* in Carniola, the Slovene March, the Karst and Istria, with the quite respectable force of one thousand men, on June 29th 1437.<sup>126</sup> “This war was started by Bishop Johannes Scholdermann (sic!), to whom the prince of Austria secretly sent soldiers and assistance against the Cillis,” reports the Cilli Chronicle<sup>127</sup> in its detailed account of the feud between the Habsburgs and Cillis. Johannes Schallermann, the pope’s candidate was unexpectedly appointed bishop of Gurk, Carinthia, in 1435, after the bishopric had been unsettled for several years by the “Gurk bishop dispute,” in which another candidate was Lorenz von Lichtenberger, the bishop of Lavant, Styria, who was supported by the Cillis. Negotiations led to Lichtenberger’s appointment for life as the *gubernator in saecularibus* of the Gurk property and castles in Carniola and the Slovene March, but after arbitration by the archbishop of Salzburg, whose decision of October 1436 followed the pope’s instructions, Lichtenberger had to renounce the position and was reappointed to his

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<sup>124</sup> Materialien zur österreichischen Geschichte 1/2, no. 26: /.../ *Geschee aber dez nit So verstanden wir wol, du woltest vns in vnsern keyserlichen gewalt greiffen /.../*; Chmel 1840, 284; Gubo 1909, 113; Roth 1952, 135.

<sup>125</sup> See Wiesflecker 1948, 358 ff.

<sup>126</sup> Chmel, Materialien zur österreichischen Geschichte 1/2, no. 27.

<sup>127</sup> Cillier Chronik, c. 15.

former bishopric.<sup>128</sup> While the Roman Curia considered the dispute solved and ended, a bitter feud broke out in 1437 between the Cillis, who supported Lichtenberger, and the bishop of Gurk, Schallermann, who was supported by Frederick V. This Cilli-Gurk feud then unfolded into a Cilli-Habsburg feud.

The feud was fought in two stages and at first the Cillis, whose army was commanded by the Bohemian mercenary Jan Vitovec, had the upper hand. They destroyed or burned down castles or towers belonging to Gurk or the duke in Anderburg near Šentjur, Soteska above Žalec, Gomila below Radeče, Vitanje, Poljčane, and the tower on the Kokra above Velesovo in Carniola. They also occupied the princely castle of Zbelovo above Studenice, but later restored it to Frederick V, and defeated the joint Gurk-Habsburg garrison near Mokronog in Lower Carniola. The list of “enemies of the *Land*” which Frederick V had drawn around 1441<sup>129</sup> testifies that many princely seigneuries and people suffered plundering, burning, murder, abduction, or other calamities. The Cillis even demolished their own castles of Vojnik, Šoštanj, and Katzenstein, presumably to prevent them from being occupied and used as strongholds by the enemy. In the same period, the duke’s troops only managed to seize and burn down the market-town of Lož, but with great difficulty.<sup>130</sup> The war with the Cillis led Duke Frederick V to meet with the Estates in Graz on March 9, 1438,<sup>131</sup> and soon afterwards, in May, an agreement was reached to solve the dispute in a peaceful way and through the arbitration by King Albrecht II,<sup>132</sup> Sigismund’s successor on the throne after the latter had died on December 9, 1437. Albrecht II was Frederick’s cousin in the second degree, but also had family ties with the counts of Cilli: his wife Elisabeth, the daughter of Emperor Sigismund and Barbara of Cilli, was the niece of Frederick II of Cilli and a cousin of Ulric II, whom Albrecht appointed imperial administrator of Bohemia with extensive authorities in 1438.<sup>133</sup>

<sup>128</sup> See Fräss-Ehrfeld 1984, 625 ff.

<sup>129</sup> AS, CE II 204, s. d.; Materialien zur österreichischen Geschichte 1/2, no. 52. See Roth 1952, 142 ff.

<sup>130</sup> Cillier Chronik, c. 16.

<sup>131</sup> Materialien zur österreichischen Geschichte 1/2, no. 31: *Daz wir auf den Sontag Reminiscere schiristkünftig zu Grecz bei vnsern lanndlewten sein wern, von der sachen wegn, zwischen vnser, vnd des von Cili.*; Die ältesten steirischen Landtagsakten 1, 76.

<sup>132</sup> See note 122.

<sup>133</sup> Dopsch 1974–1975, 24. He had the right to call the assembly of the *Land*, grant property in the name of the king, appoint officials, and rule with royal competences without the participation of the king’s councillors.



However, before Albrecht managed to pronounce a decision in this complex dispute,<sup>134</sup> he died on October 27th, 1439. Instead of a solution to the dispute, a truce was agreed between Frederick, elected king in the meantime, and the Cillis on August 23rd, 1440; it was extended twice, in March and September 1441.<sup>135</sup> But while Frederick (as king Frederick III.) was absent due to his coronation in Aachen, his discontented brother Albrecht VI, who felt that he had been deprived of his rightful share in the inheritance, concluded a military alliance with Frederick and Ulric of Cilli in May 1442.<sup>136</sup> And so the feud flared up again, but this time it turned into a real disaster for the Cillis. The joint troops of Cilli and Albrecht marched into Carniola and took Kranj, only to lose it soon afterwards. They then laid siege to Ljubljana without success,<sup>137</sup> and fared similarly at Novo mesto. A further disaster was the capture by a cavalry detachment, which Frederick had sent to the assistance of Ljubljana, of a cart carrying part of the Cilli treasure from Sannegg to Celje.<sup>138</sup> These setbacks put an end to the military operations, which made way for diplomacy. In March 1443, Albrecht VI and his brother-king reconciled and reached an agreement,<sup>139</sup> followed by several charters issued in Wiener Neustadt on August 16th and 17th, 1443, which marked the final settlement between the Cillis and Habsburgs.

As there was no defeated side, the agreement required a compromise which had to let both sides preserve their prestige and honour. Important events, which contributed to the compromise, in addition to the increasing military stalemate, were the election (1440) and coronation (1442) of Duke Frederick V as king. At the time he was duke and prince of the Inner Austrian *Länder*, he had not resigned himself to the (new) equal status of the princes of Cilli and their territories, and had wanted their elevation to be annulled. Now that he was king, he was once more superior in the relationship with the Cillis, even if they were to remain princes. The Cillis on the other hand had/wanted to protect

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<sup>134</sup> Materialien zur österreichischen Geschichte 1/1, no. 219: on February 19th, 1439, he informed the bishop of Gurk, Schallermann, that he would travel to Austria because of this matter.

<sup>135</sup> AS, CE II 203, 204, 1440, VIII. 23., Haimburg; 1441, IX. 5., Graz; Regesta Friderici III., nos. 97, 367; Regesten Kaiser Friedrichs III., nos. 19, 51, 75.

<sup>136</sup> AS, CE II 218, 1442, V. 13.; Regesta Friderici III., no. 513.

<sup>137</sup> On August 3rd, 1443, King Frederick III rewarded the successful defence by confirming to the town of Ljubljana all its past rights and granting it the right to seal in red wax; GZLj 3, no. 55.

<sup>138</sup> Cillier Chronik, c. 17.

<sup>139</sup> Regesta Friderici III., no. 1398; Regesten Friedrichs III., 132.

their princely appearance and reputation and found it easier to give in to King Frederick than they had to their (at least nominally) equal, Duke Frederick, in the past.

In formal terms, the first charter of the Cilli-Habsburg settlement was a peace treaty providing for the restoration of all occupied seigneuries and castles. Further contended matters were to be judged by a college of six arbitrators based on equal representation. Disputes where no agreement or solution was reached were to be referred to the count palatine of the Rhineland as the ultimate judiciary body. From, at the latest, the Golden Bull of 1356, the count palatine was the only body of the judiciary where the king could be indicted and tried.<sup>140</sup> Frederick III then elevated the counts of Cilli Frederick and Ulric and their heirs to the princes of the empire. However, he did not do so by confirming Sigismund's charter, but issued a new one, in which he elevated them princely counts in a public ceremony – *an offne solennitët*<sup>141</sup> (the fourth elevation to princes of the Cillis!). This course of events also meant that the Cillis had to renounce in advance the elevation to the princes of empire which Sigismund had performed to the detriment of the rights of the house of Austria. What is certainly interesting in Frederick's charter are the reasons he lists for the elevation: first mentioned are the merits of the Cillis to the empire and house of Austria in the defence against the heathen Bosnians and Turks, but what is really essential is that the charter grants princely status only to the counts of Cilli in person (*vnd iren fürstlichen namen den wir iren personen gegeben haben*), but not to their territories.<sup>142</sup> Unlike Sigismund's charter from 1436, Frederick's mentions neither a principality made up of the two Cilli counties, nor regalian rights over mining and minting, let alone a nobility's court.

What this meant in practice is evident from the declaration concerning the elevation, issued by Frederick and Ulric on the same day,<sup>143</sup>

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<sup>140</sup> AS, CE II 223, 1443, VIII. 16., Wiener Neustadt; Regesta Friderici III., no. 1509; Regesten Friedrichs III., Nr. 162; Bulla aurea Karoli IV. imperatoris, cap. V/2.

<sup>141</sup> Eine unbeachtete Chronik Österreichs, 543.

<sup>142</sup> This important charter is missing from the archive of the counts of Cilli, which otherwise contains all the charters issued as part of Cilli-Habsburg settlement of August 1443. It is known and accessible only in the form of a *regestum* and partial copy published in Regesta Friderici III., no. 1511; see also Regesten Friedrichs III., no. 165. In addition to Frederick's charter on the elevation, his brother Albrecht VI and Sigmund of Tyrol gave their consent on the next day (AS, CE II 225, 1443, VIII. 17., Wiener Neustadt), meaning that the charter was recognised by the entire Habsburg dynasty, not only the Inner Austrian branch.

<sup>143</sup> Regesta Friderici III., no. 1512.

as well as from Frederick's letter of instruction, addressed to his officials at all levels and dated August 25th, by which he informs them on the arrangement and separation of judicial authority with the Cillis:<sup>144</sup> (1) the king's court is the competent court for the Cillis only in matters involving life and limb or their princely honour and dignity; (2) indictments concerning the county of Cilli are to be tried in accordance with the provisions of Emperor Charles IV from 1372 on the elevation of the Sanneggs to counts of Cilli, while the old customs are to be maintained in the county of Ortenburg; (3) in matters concerning people and property in the Habsburg lands and in which the Cillis would be either plaintiffs or defendants, the judicial proceedings are to be held at the court before the duke of Austria or his judge, and the Cillis would have to appear in person or be represented by their advocate; (4) concerning the subjects of the Cillis, everything is to remain as before, as is clearly stated in the charter that is in the possession of the Cillis.<sup>145</sup>

These provisions on the judiciary are the essence of the agreement between Frederick III and the Cillis, and they clearly show that the Cillis did not negotiate with the king as an equal partner, but that the achieved compromise was the result of major concessions from their side. Frederick may have elevated them to the princes of the empire,

<sup>144</sup> AS, CE III 152, 1443, VIII. 25., Wiener Neustadt; Regesta Friderici III., no. 1519; Regesten Friedrichs III., no. 167.

<sup>145</sup> Because of its importance, the relevant part of the text is quoted below in extenso (after Frederick's letter of instruction (see note 144), which does not differ in content from the declaration of the Cillis): *.../ Also sïen wir [Frederick III] mit in [Frederick and Ulric of Cilli] in sonderlich ains worden vnd uberkomen wie es sich hinfür mit rechten vnd gerichtten halten vnd besteen sol /.../ Nemlich also was der egenanten von Cili vnd irer erben leib ere vnd furstlich wirdikeit in kunftigen zeiten antreffen vnd darumb sy angelangt wurden das sôllen sy uerantwurtten vor vnser kuniglichen maïestat oder vnsern nachkomen am reich. Was sich aber clag oder zuspruch begeben die die gräfschafft Cili berurten das sol besteen vnd gehalten werden nach auszweisung vnser kuniglichen bestetigung über keyser Karls briue gegeben den ettwann vnser vorfordern hertzog Albrecht vnd hertzog Leutpold verwilliget haben vnd iewant zu der selben vnser neuen bestetigung die hochgebornen hertzog Albrecht vnser bruder vnd hertzog Sigmund vnser vetter hertzogen zu Österreich ouch iren willen vnd gunst gegeben haben. Dann von der grafschafft Ortenburg wegen sol es besteen mit gerichtten als von alter ist herkomen. Vnd die andern zuspruch die zu in warenn vnd sy zu iemand haben würde die da antreffen [lewt] guter grund vnd poden in der herschaft von Österreich lannden vnd gebieten gelegen die sollen sy oder ir erben durch sich selbs oder ir anwalten uerantwurtten oder mit clag furbringen fur einen fursten von Osterreich herren vnd besitzer diezeit derselben lannde oder vor dem richter so er an seiner statt in seinem hofe darumb seczet als recht ist. Dann von der egenanten von Cili vndertän wegen sol es gehalten werden als von altter herkomen ist, als dann der egenanten von Cili brieue vns dorüber gegeben das clärlicher innehaben /.../.*

but he did not recognize their princely lordship, which would have found its clearest expression in their own nobility's court. To the contrary, in this respect their territories were again incorporated into the three Inner Austrian *Länder*. According to Charles's charter from 1372, the county of Cilli was indeed an immediate imperial fief, but it was located in the *Land* and duchy of Styria and the competent court for its nobles was the nobility's court in Graz, because the comital rights of the Cillis were limited by the "law and customs of the land."<sup>146</sup> Equally, under the counts of Ortenburg the county had always been part of the duchy and *Land* of Carinthia – and this is precisely what is meant with the "old customs." The counts of Ortenburg had indeed always recognized the lordship of the Habsburgs as a princes of the *Land* and their nobility's courts, where they themselves as well as the nobles from their territories went to law.<sup>147</sup>

If the provisions on the counties of Cilli and Ortenburg determined in the first place the relationship between the nobles from these two Cilli counties on the one hand, and between the Cillis and dukes of Austria on the other hand – judicial authority over these nobles was taken from the Cillis and given to the dukes – then the next provision, determining that the Cillis were subordinated to the jurisdiction of the duke of Austria in matters of people and property, concerned them personally. The provision meant that the competent court for the judicial action (except matters concerning their princely persons) in which the Cillis were either plaintiffs or defendants was the nobility's court of the prince of Inner Austria. Given that the Cillis had not been granted their own principality and princely status, all Cilli territories and property within the empire were located in Habsburg lands. The Cillis only retained the right to blood justice over their subjects, granted to them by the Habsburg dukes in 1365, and by King Sigismund in 1415.<sup>148</sup>

Although they had been elevated to the princes of the empire, the Cillis had recognized the princely lordship of Frederick III in the same breath. Their position was in essence similar to that of later nominal princes like the Auerspergs or Windischgrätzes. In this respect, the counts of Cilli even stood at the beginning of the development of a new type of the princes of the empire.<sup>149</sup> Parallel to the subordinated role he

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<sup>146</sup> See note 40.

<sup>147</sup> See note 37.

<sup>148</sup> See notes 15 and 79.

<sup>149</sup> See Dopsch 1999a, 34.

forced upon them, Frederick III also achieved that Ulric obliged himself that after his own death and that of his father Frederick their heirs would address all Austrian princes and dukes with the humbler “*unser gnedig herrn*” instead of with “*unser lieb herrn*,”<sup>150</sup> which the Cillis used at the time. The personal prestige and honour of Frederick and Ulric of Cilli may not have been affected by this obligation, the house of Cilli nevertheless acknowledged in this way the higher status and position of the house of Habsburg.

An essential element of the Cilli-Habsburg settlement was the mutual inheritance agreement made on the day of the elevation of the Cillis. The agreement provided that in case of extinction of the house of Cilli, all the branches of the house of Habsburg would collectively inherit all Cilli counties, seigneuries and properties “in the German lands and the Holy Roman Empire.”<sup>151</sup> If, on the other hand, the Habsburgs, represented by Frederick III who concluded the agreement in their name, were to become extinct, the Cillis would inherit the county of Pazin and all other property the house of Austria had in Istria, the county in the March and Metlika in Carniola, including Mehovo, Novo mesto, Kostanjevica, Laško, Vojnik, Žalec, Postojna, and Vipava.<sup>152</sup> This inheritance agreement as well seems to reflect the unequal positions of the two parties, with the Cillis conceding more than they would gain. Not only were entire property holdings of the Cillis, which would fall to the Habsburgs, bigger than what they would gain from the Habsburgs, but the Cillis already had in their possession a large part of the promised legacy at the time the inheritance agreement was made. They had in pawn from the Habsburgs the entire county in the March and Metlika, Laško, Žalec and Vojnik, while Vipava, Kostanjevica and Novo mesto had once already been in their possession.<sup>153</sup> This means that in the case of extinction of the Habsburgs, Cilli’s inheritance would be less than the agreement promised. It is true that they would become owners of the county in the March and Metlika, which they had in pawn, but they had paid nearly 20,000 gold coins to the Habsburgs for it, and there would be no one left to restore the

<sup>150</sup> Regesta Friderici III., no. 1534.

<sup>151</sup> Regesta Friderici III., no. 1514. The agreement determined Frederick III, Albrecht VI and Sigismund as heirs, and Ladislav Posthumus in case of their extinction.

<sup>152</sup> AS, CE II 224, 1443, VIII. 16., Wiener Neustadt; Regesta Friderici III., no. 1513.

<sup>153</sup> For the county in the March and Metlika, see notes 87 and 174, for the other property Pirchegger 1962, s. v.; Orožen 1971, 207 ff.; Kos D. 1994b, s. v.

money to them. In short, the part of the inheritance which the Cillis already had in pawn from the Habsburgs would in a way be sold to them twice. It is well known what a decisive importance the Cilli inheritance, which fell to the Habsburg just 13 years after the agreement was made, had for the final consolidation of the Habsburg positions and power in Carniola, Carinthia, and of course also in Styria.<sup>154</sup> The Cillis, on the other hand, would not have been able to round up their properties and authority with the Habsburg inheritance, especially not in Carniola, where the central area of the *Land*, including Ljubljana, Kranj, and Kamnik was not part of the agreement, although it was undoubtedly much more important to Cilli's interests than the county of Pazin in Istria.

Besides the above-mentioned charter, the Cilli-Habsburg settlement included an agreement on military alliance, which was complemented in Graz in September 1443.<sup>155</sup> Another charter of King Frederick III first established that the county of Cilli had become an imperial fief by the charter of Emperor Charles IV from 1372, and that the Cillis were now – because of their great contribution against the heathens – released from the obligation to accept the county of Cilli in fief from the empire, and consequently were no longer obliged to serve the empire.<sup>156</sup> Frederick III also obliged himself to provide to the Cillis the letter of consent to their princely elevation from the princes electors and his own confirmation of Charles's charter from 1372,<sup>157</sup> while Frederick and Ulric of Cilli issued to

<sup>154</sup> Hauptmann 1929, 434 ff.; Vilfan 1993, 5 ff.; Štih, Simoniti 1995, 90, 102 ff.

<sup>155</sup> AS, CE II 227, 1443, VIII. 16., Wiener Neustadt; Regesta Friderici III., nos. 1510, 1531, 1532; Regesten Friedrichs III., nos. 164, 170.

<sup>156</sup> Regesta Friderici III., no. 1515: */.../ grafschafft Cili vnd was sy sunst vom reich meinten zu lehen zu haben nicht sollen noch bedorffen vom reich zu lehen zu emphahn noch demselben reich dauon dienen /.../*. Another account in an Austrian chronicle by an unknown writer, is preserved only in fragments but dating from the time of Frederick III; it briefly but in essence accurately summarises the Cilli-Habsburg settlement and correctly judges it as Cilli's subordination to Frederick III; *Eine unbeachtete Chronik Österreichs*, 543 ff.: */.../ dieselben graven ze Cili mit iren leiberben kunig Fridrich an offne solennitët von newen ze gefursten freyen graven des heiligen Romischen reichs schepfte, also was sy noch vor von dem reich ze lehen heten, daz das alles an lehenschafft besiczen mochten. Diselben grave darauf all ir grafschafft, herschafft, purg und gsloss am teuts[chen] mit etlichen underschaiden demselben kunig Fridrichen und vorgemelten herczog Albrechten, sein brüder, und herczog Sigmund[en], irer baiden vettern, vermachten und gegenge[ben] umb das herczogtum Krain empfa[ngen ?], sich dem Romischen kunig gehorsamlich undertëngten.*

<sup>157</sup> Regesta Friderici III., no. 1533.

Frederick III a declaration stating that they would respect the (old) rights of the house of Austria.<sup>158</sup>

### *Epilogue*

Contrary to the prevailing opinion in historical literature that the settlement of 1443 was a Habsburg concession to the Cillis, or confirmation of the equal status of the Cillis and Habsburgs,<sup>159</sup> Frederick III must have felt greater satisfaction: in exchange for the title of the princes of the empire he had re-established his princely lordship over the Cillis and their territories and preserved his Inner Austrian *Länder* intact. On the outside, the new relationship was marked by the fact that after more than twenty years the counts of Cillis again considered themselves (or were considered) Styrian nobles. In the spring of 1446, a Hungarian army commanded by Janos Hunyadi invaded Styria near Borl, plundered across the Drava plain, laid siege to Slovenska Bistrica and attempted to penetrate to Celje.<sup>160</sup> In this situation, the Styrian administrator Aspach informed among others the provost of Seckau in writing on April 14th that the Hungarians had invaded the *Land*, causing great damage by murdering or abducting people, plundering and burning, and that they were now continuing “*an dem zug im lannd gen Cili.*” In the name of the prince of the *Land*, King Frederick III, he therefore ordered the provost to send a contingent of soldiers to Maribor, where the army against the Hungarians was to assemble, “*damit lannd vnd lewt vnd svnder die grauen von Cili vor solher vnpillicher tat vnd bescheidungung gerett /...!*”<sup>161</sup> If the counts of Cilli had not been Styrian nobles and the territory of Cilli not part of Styria, the Styrian duke would not have had any reason to come to the assistance of the Cillis with the *Land's* army. Following renewed threats from the Hungarians, representatives of the Estates of the three Inner Austrian *Länder* gathered in Radkersburg on May 6th, 1446 and set July 20th as the date for assembling the three military contingents of the *Länder* in Radkersburg and Fürstenfeld. A call-up list was made up for every *Land*, and the Styrian one included the counts of Cilli, who are mentioned in two

<sup>158</sup> Regesta Friderici III., no. 1516.

<sup>159</sup> Cf. e.g. Chmel 1840, 226 ff.; Gubo 1909, 123; Pirchegger 1931, 55; Kos M. 1955, 312; Grafenauer 1965, 398; Dopsch 1974–1975, 39.

<sup>160</sup> For details, see Pirchegger 1931, 56 ff.

<sup>161</sup> GZM 7, no. 3.

places: in the list of territorial nobles (*Landleuth des fürstenthumb Steyer*), where the counts Frederick and Ulric are listed together with the counts of Montfort behind the prelates, but before the lords of the Land. The Cillis are also mentioned in one of the assembly's decisions stating that the prince of the *Land* would inform them on the adopted call-up list through his envoys and require them to participate in the army's assembly.<sup>162</sup>

If the Cillis had retained the status of the princes of the empire after 1443 and their territories that of a *Land*, we would expect this status to be reflected by phenomena typical of princely lordship and a princely *Land*: territorial charters of privileges, a diet and Estate, a governor as the prince's deputy, a nobility's court, and a law of the *Land*. In view of Brunner's definition of a *Land*,<sup>163</sup> judicial documents would be of particular significance to our question, documents originating from proceedings at a (Cilli) nobility's court, as well as guarantee clauses in charters<sup>164</sup> mentioning a Cilli law of the land. The existence of these two categories would be a clear indication that the territories of the counts of Cilli had developed into a special *Land*. No such categories have however been found in the sources from this period.<sup>165</sup> That the Cillis did not have a nobility's court<sup>166</sup> is supported by a charter issued by Emperor Frederick III in Vienna on May 16th, 1458, releasing Catherine

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<sup>162</sup> Die ältesten steirischen Landtagsakten 1, no. 50. This list of the territorial nobles is all the more precious because it contains a survey of the nobles who had property in the *Land*, but did not "sit," i.e. reside, in it, among others the counts of Schaunberg, the lords of Walsee, the Kreigs, etc. The Cillis thus belonged to the category of nobles who had property as well as their residence in the *Land* of Styria. The assembly's decision concerning the Cillis reads: *Item unser gnädigster herr soll auch dem von Zilli durch sein räte und potschaft solch ordnung verkunden und an in pegeren, sich in solch veld mit allm seinem vermögen, zu rossen und zu fuessen auf den benennten tag ze füegen und da unsern gnädigsten herrn, der lantschaft und im selbs peystand zu thuen wider solch widerwärtig, und das auch dy landschaft aus im zu solicher unsers genadigsten herrn pottschaft dy irn auch ordnen, von iren wegen pey solcher pottschaft zu sein.*

<sup>163</sup> See note 17.

<sup>164</sup> See note 16.

<sup>165</sup> To my knowledge there is only one such charter: on June 1st 1450 (AS, ZL, no. 868), Ulric of Cilli pronounced his decision in Celje concerning a property dispute between the prior of the Pleterje monastery on one side, and his own master of court and someone else on the other side, by taking the dispute in his own hands (*Also haben wir /.../ dy sachen aigenlich für vns genomen und darinn mit willen vnd wissen paider parthey aufrichtklich ausgesprochen vnd sprechen auch wissentlich mitt dem brieff*), but this is not evidence of the existence of a nobility's court.

<sup>166</sup> Except for the period from 1436 to 1443, when they were entitled to it by Sigismund's charter and when – as we can deduce from the trial of Jost Auer mentioned in the text (see note 117) – it indeed operated.



Branković, the widow of Ulric II of Cilli, of the obligation to appear in court matters related to her person before the nobility's courts in Graz, St. Veit, Ljubljana or Metlika, since only his (Frederick's) royal court was competent for all her matters.<sup>167</sup> The charter mentions all four nobility's courts in the Inner Austrian Länder and as we have learned from the example and history of the county in the March and Metlika, it is hardly likely that Frederick III would have abolished the nobility's court in Celje – if indeed such a court really existed upon the extinction of the counts of Cilli: when the county of the March and Metlika fell in Habsburg hands in 1374, Leopold III and Albrecht III did not abolish the nobility's court in Metlika, but indeed confirmed it.

The county in the March and Metlika developed from the property and (local) territorial courts the counts of Gorizia had in the Slovene March and White Carniola from around the mid 14th century into a special *Land* with all the typical institutions of a *Land* (a prince of the *Land*, a governor, territorial charters of privileges, a law of the *Land*, and a nobility's court).<sup>168</sup> In 1374, the county fell to the Habsburgs, who were the dukes and princes of Carniola, as the result of an inheritance agreement. The newly acquired *Land* was however not incorporated into Carniola, but retained the independence and identity of a *Land* throughout the Middle Ages: Archduke Charles II, the prince of the Inner Austrian *Länder*, issued a special confirmation of the 1365 charter, separate from the Carniolan charter, to the county in the March and Metlika in 1567,<sup>169</sup> a governor in Metlika is mentioned in 1517,<sup>170</sup> the law of the *Land* in 1502,<sup>171</sup> and two judicial documents have been preserved from 1447 and 1456, made at the nobility's court in Metlika, which still operated independently from the nobility's court in Ljubljana in 1507.<sup>172</sup> And to make the irony of history perfect, these two documents testify that princely lordship in the county in the March and

<sup>167</sup> Mell 1929, 207 and note 294.

<sup>168</sup> See Štih 1994b, 157 ff.; Štih 1999e, 123 ff.; Štih 2000a 51 ff.

<sup>169</sup> Levec 1898, nos. 43, 44, 45, 50.

<sup>170</sup> Iz metliškega mestnega arhiva, no. 15 (*hawbtman in der Mettling*).

<sup>171</sup> AS, ZL, 1502, VII. 25.; Iz metliškega mestnega arhiva, no. 14 (*nach landesrechtenn der grawschafft Metling*).

<sup>172</sup> AS, ZL, 1447, IX. 18., Metlika; *ibidem*, 1456, IX. 13., Metlika. Nobility's court 1507: Deželnozbornski spisi 1, no. 20. The nobles of the county in the March and Metlika were subordinated to the jurisdiction of the nobility's court of Ljubljana only after 1518; see Štih 1999e, 141.

Metlika was exercised at this time by no one less than Ulric II of Cilli!<sup>173</sup> The political objective the last three generations of the counts of Cilli wanted to achieve within the empire had failed to materialise in their own territories, but they achieved it in a county they had in pawn from their principal rivals and worst enemies. This also means that the Habsburgs has pawned to them the county in the March and Metlika including princely lordship or, in other words, pawned to them the entire *Land*.<sup>174</sup> In the same way, Rudolf I of Habsburg had earlier pawned the *Land* of Carniola to Meinhard of Tyrol and Gorizia in 1279.<sup>175</sup>

In spite of these beginnings, the counties, seigneuries, and properties of the counts of Cilli never formed a *Land*. The principal reason, besides Habsburg's opposition, was undoubtedly the extinction of the counts and princes of Cilli in 1456. That these beginnings were however not insignificant is attested by the special position in the administration, which the Cilli territories continued to have within Styria and the Inner Austrian *Länder* for some time. A special captain, seated in the Upper Castle, and a special *vicedominus*, seated in the former Princely Court, still resided in Celje in the 16th century,<sup>176</sup> and the former offices and seigneuries of the Cillis in Carniola were still subordinated to them in the 15th century,<sup>177</sup> while Frederick III did not consider the county of Ortenburg to be part of the principality of Carinthia as late as 1478.<sup>178</sup>

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<sup>173</sup> In a charter from 1447 (note 172) Jurij Kolenc /.../ *des hochgeboren fursten graf Ulrichs /.../ hauptmann der Grafschafft in der Metlikch* pronounces his decision *heut vor gericht von den lanndleuten erfunden und erkant worden*, to which Ulric of Celje gave *sein gunst*. In another charter, from 1456 (note 172), Balthasar from Sevnica pronounces that /.../ *des hochgeboren fursten Ulreichs /.../ hauptmann der Graffschafft in der Mettlikg /.../ das herr Hylari prior cartheus ordens zu Pletriach hewt vor gericht sein ersten tag geklagt hat hintz Niclasen Kasyakker*.

<sup>174</sup> See Štih 1999e, 137 ff. When exactly the Cillis acquired the county in the March and Metlika in pawn from the Habsburgs is not known, but certainly before May 20th, 1389 (see note 87). They had it in their possession until their extinction, since a local Cilli captain is mentioned in the County on September 13th, 1456 (see note 173). In April 1457, Emperor Frederick III confirmed in Celje to the citizens of Metlika their rights, /.../ *sunderlich daz sy lanngzeit aus unser und unserr vordern gewaltsam gewesen und dieweil in merklich scheden und verderben und nun widerumb in unser gewalt komen seinn* (Iz metliškega mestnega arhiva, no. 7.); see Kos D. 1987, 15.

<sup>175</sup> Hauptmann 1929, 427 ff.; Štih 1994b, 125 and note 2.

<sup>176</sup> Itinerario di Paolo Santonino, 264; Orožen 1971, 288 ff.

<sup>177</sup> Žontar 1966, 301.

<sup>178</sup> Brunner 1965, 218 and note 2.

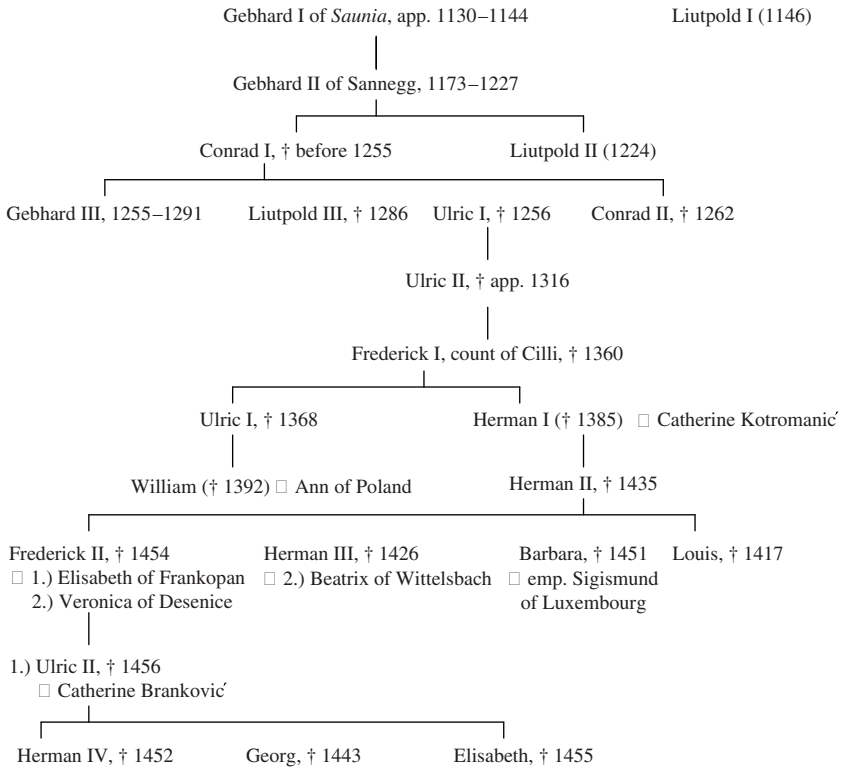


Fig. 14. The lords of Sannegg – counts of Cilli (reduced genealogy).

Finally returning to the introductory question about the credibility of the account(s) on the trial of Veronica of Desenice, which we associated with the question whether a Cilli nobility's court existed at the time, we can see that in formal terms a trial could not have taken place, given that Herman II certainly did not have a nobility's court in 1425. In reality, however, a trial against Veronica can certainly have taken place. Herman was the governor of Carniola and if he could get away with having Ljubljana citizens – the only judiciary competent for them was the town judge – tried before the nobility's court,<sup>179</sup> then he must have had even less difficulty in indicting a noblewoman before the market-town court at home in Celje.

<sup>179</sup> GZLj 3, no. 27.



Fig. 15. Map of the properties of the counts of Cilli during the first half of the 15th century within the borders of the Holy Roman Empire.

## CHAPTER EIGHTEEN

### THE ENTHRONEMENT OF THE DUKES OF CARINTHIA BETWEEN HISTORY AND IMAGINATION: ISSUES OF ITS TRADITION, DEVELOPMENT, AND COURSE

Historians have dealt with the enthronement of the dukes of Carinthia for over a century now. During all this time, a vast body of research has been produced that is nearly impossible to cover in its entirety.<sup>1</sup> Among the authors are numerous researchers of the past of great reputation and outstanding merit, who often sought to solve one of the “key issues of Carinthian history”<sup>2</sup> with commendable erudition and penetration. Although many a problem has been solved in the course of this long scientific tradition and discourse, a whole range of fundamental questions remain without clear, unambiguous answers. The principal reason for this state of research is connected with the sources on the enthronement of the Carinthian dukes, because opinions differ on their chronological order and hence on their interdependence and value; this is particularly true of the three crucial sources from the Late Middle Ages – the only ones that describe the course of the ceremony in detail and to which we shall return below. These different views and appraisals of the key sources have led to highly divergent interpretations of the ceremony itself, its course, and development.

In this connection we must draw attention to a specific burden that additionally weighs on the research into the enthronement of the dukes of Carinthia. It concerns the issue of the knowledge and reception of Slovene studies, which had a vital contribution to the bibliography of the enthronement, in particular the works of Josip Mal, Ljudmil Hauptmann and, first and foremost, Bogo Grafenauer. Due to the linguistic barrier, these studies have remained inaccessible to the wider circles of (mainly German-speaking) researchers, or have been known to them only in the form of brief summaries. These of course cannot compensate for knowledge of the integral texts because summaries

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<sup>1</sup> The best survey of the research history is in Grafenauer 1952, 9–68; Grafenauer 1962, 176 ff.; Grafenauer 1970a, 112 ff.

<sup>2</sup> Fräss-Ehrfeld 1984, 348.

principally deal with research results, not with arguments or criticism of different opinions. It is particularly regrettable that the most extensive monograph on the enthronement of the dukes of Carinthia, written by Bogo Grafenauer, and its to date most comprehensive, thorough, and extensive textual criticism of the sources related to the issues of the enthronement has remained inaccessible to the majority of non-Slovene researchers. More than fifty years after its publication, this section of Grafenauer's book has lost none of its cutting edge and significance, and still deserves to be translated into German or English.

The two material monuments of the enthronement, the Prince's Stone (*Fürstenstein*) and the Duke's Throne (*Herzogstuhl*), create no fewer problems than the written sources. Some researchers date the origin of the latter to the 9th century, others to as late as the 14th century.<sup>3</sup> Half a millennium separates these two points in time and it is not hard to imagine what this means for the interpretation and reconstruction of the ceremony. Adding complication to the issue is the fact that it is not clear whether the Duke's Throne originated in the form we know today, or whether it initially and merely represented the western seat of the count palatine. And since the corresponding arguments normally refer to the above-mentioned written sources, which contain the terms *lapis*, *sedes tribunalis*, *stain*, *gesidel*, *stül* and the like, and on whose genealogy, chronology, and historical value no consensus exists, everything seems to be locked in a vicious circle. The same is true of the Prince's Stone, on which the discussion has recently focussed – but to date without any conclusive findings – on the question of whether this oldest legal symbol in the territory of present-day Austria originally stood at Karnburg, as it is depicted in the famous drawing by Markus Pernhart from around 1855, and from where it was transferred to Klagenfurt in 1862.<sup>4</sup>

Historical surveys have a decisive influence on shaping historical awareness and the image of history in public use, but even in the best among them<sup>5</sup> the descriptions of the enthronement ceremony are necessarily, for the reasons stated above, only more or less inspired digests of largely unsolved research issues, where firm and clear answers are not as readily available as we would expect based on these descriptions.

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<sup>3</sup> See Ginhart 1967, 460 ff.; Steinmann 1967, 494; Dopsch 2001, 120–129.

<sup>4</sup> See Pleterski 1997, 61 ff.

<sup>5</sup> E.g. Fräs-Ehrfeld 1984, 343 ff.; Wakounig 2001, 133 ff.



Fig. 16. The Prince's Stone under Fromiller's fresco of the enthronement of the dukes of Carinthia from 1740 in the Heraldic Hall (*Wappensaal*) of the *Landhaus* in Klagenfurt (photo: K. Allesch).

The issue of the enthronement of the Carinthian dukes therefore continues to be topical in historiography, where the ceremony drew great interest in domestic and wider circles at a very early stage; in this respect, the ceremony has a surprisingly long tradition. The enthronement of the dukes of Carinthia was indeed the subject of wide interest long before Paul Puntschart's extensive study from 1899,<sup>6</sup> the first to gather in one place all relevant sources on the enthronement, started a "new era"<sup>7</sup> of research into the ceremony. In Carinthia, its homeland, the ceremony continued to live on in literature long after the last Carinthian duke was installed on the Prince's Stone in 1414 owing to the efforts of the Estates of the *Land*: seeking to assert their political interests in the 16th century, they resorted with great poise to historical arguments as well, including the enthronement.<sup>8</sup> But the biggest contribution to its status was undoubtedly made by the *Land's* historiography, personified by Jakob Unrest, Michael Gothard Christalnick, and Hieronym Megiser, who awarded it a special place in his surveys of Carinthian history.<sup>9</sup> In the wider European context, humanism had a decisive impact on the understanding and reception of the enthronement of the dukes of Carinthia. Through its description in *De Europa* (1458) by Aeneas Silvius Piccolomini, the ceremony, referred to by this learned humanist and later Pope Pius II as "a ceremony that has no match anywhere else,"<sup>10</sup> joined the canon of humanist-cosmographic erudition as early as the 16th century and word of it even reached America before the end of the 18th century.<sup>11</sup>

### *The Principal Sources on the Enthronement of the Carinthian Dukes*

The enthronement of the Carinthian dukes is mentioned in more than ten medieval texts of a literary nature and several charters make reference to it as well. The end of the Middle Ages produced the first artistic illustration of the ceremony, and its two material monuments – the Prince's Stone and the Duke's Throne – have been preserved to the

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<sup>6</sup> Puntschart 1899.

<sup>7</sup> Grafenauer 1952, 10.

<sup>8</sup> Neumann 1994, 78 ff., especially 92 ff.

<sup>9</sup> Fräss-Erhfeld 1984, 485 ff.; 594 ff.; Fräss-Erhfeld 1994, 295 ff., 539 ff., 668 ff.

<sup>10</sup> Enee Silvii Piccolomini De Europa XX 64: *Quotiens novus princeps rei publicae gubernationem init, solenitatem nusquam alibi auditam observant.*

<sup>11</sup> See Puntschart 1899, 78 ff.; Felicijan 1967; Kehnel 2001, 487.



present day.<sup>12</sup> However, of all these sources only three are really important for understanding the ceremony itself and to reconstruct it, and they all originated (or were recorded in the form known today) in the Late Middle Ages – in the 14th and 15th centuries.<sup>13</sup> The older texts chiefly tell us that the enthronement was a living and practised legal custom in the political life of Carinthia before this period, but they do not tell us anything about the course of the ceremony or its development.

Of these three paramount sources the oldest, dated beyond doubt, is that of Ottokar of Styria (Ottokar aus der Gaal). Between 1306 and 1308, this Upper Styrian knight described the enthronement of Count Meinhard IV of Tyrol and Gorizia as duke of Carinthia in his *Steirische* (or *Österreichische*) *Reimchronik*.<sup>14</sup> The enthronement took place on September 1st, 1286 and Ottokar described it as follows: after King Rudolf I granted the duchy of Carinthia in fief to the new duke at the Diet of Augsburg on February 1st 1286, Meinhard was enthroned at Zollfeld. There a stone with a carved-out seat stood, and the oldest member of the peasant family that held this hereditary right sat on it. After morning Mass the duke, dressed in peasant attire, was taken to this stone leading a speckled bull with one hand and a black-and-white horse with the other hand. The peasant sitting on the stone asked the duke's retainers in the Slavic tongue (*windische Rede*)<sup>15</sup> who he was,

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<sup>12</sup> For a survey of the literary sources, see Puntschart 1899, 11 ff. and especially Grafenauer 1952, 69 ff. The charters are published in *Ausgewählte Urkunden*, no. 167 and MC 10, nos. 1143–1147, 1149–1151. For a picture including a facsimile, see Štih 1999d, 5 ff. (includes an English translation: The oldest Picture of the Enthronement of the Dukes of Carinthia, *ibidem*, 18 ff.); for the Prince's Stone and the Duke's Throne, see most recently Pleterski 1996, 45 ff. (and the literature mentioned there).

<sup>13</sup> All three sources are published in one place in Grafenauer 1952, 78 ff. (with a Slovene translation); MC 6, no. 25.

<sup>14</sup> Ottokars *Österreichische Reimchronik*, verses 19.893–20.157; see Lhotsky 1963, 288 ff.; Knapp 1999, 371 ff.

<sup>15</sup> Referring to the language of the ceremony on the Prince's Stone the sources use the Latin expression *Sclavice* and the German *windische Sprache/Rede*. From the 19th century onwards, the term *windische Sprache/Rede* has usually been understood as meaning the Slovene language, but to Primož Trubar, who was the first to use the expression *slovenski jezik* (Slovene language) in the second half of the 16th century, the term *windische Sprache* still had two meanings: the Slovene language and the Slavic language (see Katičič 1996, 36); furthermore, in spite of the uninterrupted continuity that links the present Slovene language to the language spoken by the Slavic settlers in the Eastern Alps in the late 6th century, medieval sources contain no confirmation that this language was at the time perceived as a specific Slavic language – Slovene. See Kahl 2002, 464 ff.; Štih 2007a, 195 and note 6.

whether he was of the proper faith, a fair judge, and whether he would protect the *Land* and bring just peace. When they told him that it was the new prince, sent by the king, and swore to him that he was of the proper faith, a fair judge, and that he would protect the *Land*, the peasant vacated the stone throne and took possession of the bull and horse. The new duke then replaced the peasant on the throne and repeated the oath. The lords then approached the new duke, were granted fiefs, and took the oath of loyalty.

John, the abbot of the Cistercian monastery in Viktring, Carinthia, also describes the enthronement of Meinhard as duke of Carinthia in his historical work *Liber certarum historiarum*, written between 1340 and 1343 and preserved in several different editions.<sup>16</sup> According to the description in the concept of his work (*recensio A*), written by John in 1340–1341 and entirely preserved in the author's handwriting, Meinhard was installed after having received the duchy of Carinthia in fief from the king in the following way: at the church of St Peter (in Karnburg below Ulrichsberg) a stone stood on which a free peasant sat, holding with one hand a speckled bull and an equally speckled mare with the other hand. The new prince, dressed in peasant attire and accompanied by the count of Gorizia with twelve banners, as well as other counts and court officials, approached the peasant. The peasant sitting on the stone asked several questions in the Slavic language (*Sclavice*) and they were answered by his assessors. The peasant then gave the duke a light slap in the face, accepted the two animals promised to him, and vacated the seat. The duke mounted the seat and swung his sword in all four directions. They then proceeded to the church of Maria Saal where the bishop of Gurk blessed the new duke. This was followed by a feast and after it the new duke, sitting on the Duke's Throne at Zollfeld, held court and granted fiefs.

In the fair copy, written approximately one year later (*recensio B*), John of Viktring slightly changed and expanded the above description. His most important additions are that the count of Gorizia was the count palatine of Carinthia, and that one of the previously unnamed counts accompanying the new duke was the count of Tyrol, who was the landgrave. We further learn that after swinging his sword on the stone, the duke had to drink a sip of water from a peasant hat, that he

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<sup>16</sup> Iohannis abbatis Victoriensis Liber certarum historiarum 1: 251 ff., 290 ff.; 2: 160 ff., 195 ff., 226 ff. See Lhotsky 1963, 292 ff.; Knapp 1999, 395 ff.; Bassi, Kamptner 1997.

had the right to answer exclusively in the Slavic language in legal proceedings before the emperor, that a fire-maker lit several fires in honour of the duke, that after Mass at Maria Saal the duke changed clothes and that his peasant clothes were shared out among the poor, and that Meinhard took the description of the enthronement (*processus horum iurium*) with him to the Tyrol Castle.<sup>17</sup>

In *Liber certarum historiarum* John of Viktring briefly mentions two other enthronements. First that of Otto the Merry, who was the first Habsburg to become Duke of Carinthia in 1335, and then the enthronement of his brother, Albrecht II the Lame, in 1342. These two short descriptions do not contain any important novelties regarding the ceremony itself, and John even states in his concept of Otto's enthronement (*recensio A*) that the ceremony took place in the same way as he described Meinhard's enthronement of 1286, meaning that there were no differences between the ceremonies of 1286 and 1335. In the later fair copy (*recensio B*), however, he writes in quite different terms that in the "about 56 years" that had passed since Meinhard's enthronement much had been forgotten, and that many things were left out in Otto's installation, meaning that there were indeed differences between the ceremonies of 1286 and 1335, but he does not mention them specifically.

The differences between the ceremony's descriptions by Ottokar of Styria and John of Viktring are however smaller than between these two and the account of the ceremony in an interpolation in the *Schwabenspiegel*, the third principal source on the enthronement of the dukes of Carinthia.<sup>18</sup> The *Schwabenspiegel* was written in Augsburg around 1275/76, and more than 350 manuscripts of this legal code have been preserved to the present in very different versions, which mostly date from the 15th century.<sup>19</sup> Only two of these manuscripts – the Giessen manuscript from the second half of the 14th century and the St. Gallen manuscript, which is a century younger – contain an interpolation on the rights of the duke of Carinthia – they slightly differ in the two manuscripts – and also provide a description of the enthronement.<sup>20</sup> This does not refer to a specific duke's enthronement,

<sup>17</sup> RG 2/1, no. 505, interprets the passage as meaning that Meinhard transferred the granting of fiefs to Tyrol Castle.

<sup>18</sup> MC 6, no. 25.

<sup>19</sup> Nehlsen-von Stryk 1999, 1603–1605.

<sup>20</sup> See Mal 1938, 109 ff. (with a facsimile); Rauch 1941, 173 ff.; Grafenauer 1952, 74 ff., 161 ff.

but describes the ceremony in general. The description starts with the claim that the duke of Carinthia is an Imperial Master of the Hunt and that only the *kosezi* (*fryen lantsaessen*) of the *Land* were entitled to install the duke of Carinthia.<sup>21</sup> Based on their oath of loyalty to the *Land* and the territorial nobility they elected among themselves a judge in accord with the principle of idoneity. The judge then asked all the *kosezi* and every single one separately, based on the oath they had pledged to the judges, the *Land* and the *kosezi*, whether they considered the lord the empire gave (or had given) them as the new duke to be useful and worthy. And if they did not consider him worthy, the empire had to give them a new duke. But if they considered the lord the empire had given them to be worthy, and the majority of the *kosezi* had elected him (*mertaill erwelt*), then the poor and the rich warmly welcomed him. They dressed him in (peasant) clothes, suitable for a Master of the Hunt, set him on a horse and took him to a stone located between Glanegg and the hospice at Maria Saal. Here they led him around the stone three times, while all present sang “*windische lassen das ist ir windisch gesang*” and thanked God for giving them the lord of their choice. This ceremony conferred on the new duke all his rights and when he then came before the king or emperor to receive the duchy in fief, he had to wear the same outfit and bring a deer with him.

*The Issues of the Interdependence of the Principal Sources  
and their Value*

Historians have regarded the three principal sources on the enthronement of the dukes of Carinthia, presented briefly above, in very different ways, attributed alternatively greater value to one or another source, arranged them in different chronological orders, and accordingly arrived at different explanations of how the ceremony developed and changed in the course of time. Ernst Klebel, for instance, held that in spite of their differences the three sources reveal obvious correlations

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<sup>21</sup> That the expression *fryen lantsaessen* meant the *kosezi* (Germ. *Edlinger*) was pointed out by Grafenauer 1952, 198 ff. and Hauptmann 1954, 148. The *kosezi* (*Edlinger*) were a special class of the peasant population with specific rights in the Late Middle Ages. Their origin is associated with the Carantanian period and originally they probably were in some ways a privileged social class, similar to the nobility. The etymology of the word *kosez* (sing.) is not clear.

in contents and structure, suggesting one and the same model, and he presumed that each of them drew on the description of the enthronement mentioned by John of Viktring and which Meinhard presumably took with him to Tyrol Castle in 1286.<sup>22</sup> Others, starting with Hans Voltelini and Karl Torggler, held the interpolation in the *Schwabenspiegel* to be a late medieval forgery and therefore of no value to the study of the enthronement.<sup>23</sup> This opinion was shared by Karl Rauch, who linked the origin of the interpolation to the political aspirations of Duke Rudolf IV.<sup>24</sup> The interpolation was to prove that the duke of Carinthia was the highest Master of the Hunt of the empire, and Rudolf IV, who actually conferred upon himself the title *des heiligen Römischen richs obrister iegermaister* or, in Latin, *sacri romani imperii supremus magister venatorum* in 1359/60, wanted to secure for himself a fifth imperial *Erzamt* (“High Office”) to justify his title of archduke, and to rise to a rank just below the electoral princes but above the empire’s other princes.<sup>25</sup> Similarly to the body of charters known under the name of *Privilegium maius*, Rauch presumed the interpolation in the *Schwabenspiegel* to be a calculated forgery (*Zweckschöpfung*), whose principal model was the rhymed chronicle of Ottokar of Styria; consequently, in Rauch’s opinion the interpolation had no value for the study of the enthronement.

Rauch’s research, which linked the origin of the interpolation to Rudolf’s political aspirations and large-scale falsifying activities, was widely accepted and very influential. It was among others taken up by Ulrich Steinmann, who however did not deny to the *Schwabenspiegel* a certain value: the part referring to the duke of Carinthia as the imperial Master of the Hunt may have been merely a product of Rudolf’s political interests, but Steinmann thought that the description of the ceremony – the part where the new duke is led three times around the Prince’s Stone on horseback – outlined the actual course of the ceremony as it was performed at the enthronement of Duke Albrecht in 1342, who due to his lameness was not able to mount the Prince’s Stone on his own nor swing his sword, but was merely led around it on horseback.<sup>26</sup> Rudolf IV was presumably installed in the same way in 1360,

<sup>22</sup> Klebel 1940, 97. See also note 17.

<sup>23</sup> Voltelini 1928, 95 ff.; Torggler 1940, 291 ff.

<sup>24</sup> Rauch 1941, 173 ff.

<sup>25</sup> Cf. Neumann 1994, 91.

<sup>26</sup> Steinmann 1967, 487 ff., especially 493 ff.

and his peasant outfit was completed with hunting accessories; the Duke's Throne is also thought to have obtained its present appearance at the same time. According to Steinmann it was Rudolf who had the eastern ducal seat set up with the presumed inscription *RVDOLPHVS DVX* carved into the backrest.<sup>27</sup> This transformation of the Duke's Throne, whose origin may go back to the Carolingian era, devalued the original western seat, on which, according to Ottokar of Styria Meinhard IV was installed in 1286,<sup>28</sup> into a palatine seat, while the new ducal seat, made of Roman spoils, emphasised its ancient nature and strengthened his historical legitimacy: in the same way as Rudolf attempted to substantiate his exceptional ducal position with "antique" charters from Caesar and Nero, he had his Carinthian throne made of antique remnants.<sup>29</sup>

According to Steinmann, the interpolation most probably originated at the time of Rudolf IV's enthronement as Duke of Carinthia in 1360 and is thus the youngest of the three principal sources, while Ottokar's account is the oldest one and fundamental to the research into the enthronement. Bogo Grafenauer, however, reached completely opposite findings in his research. Based on his exhaustive textual criticism of both versions of the interpolation in the Schwabenspiegel, and a similar comparison with the report of Ottokar of Styria, Grafenauer arrived at the conclusion that the interpolation was the oldest source on the enthronement of the Carinthian dukes. He dated it to around 1300 and thought that Ottokar too had drawn on it – quite the opposite of Rauch's view. The model for the interpolation, whose contents Grafenauer even managed to reconstruct, may have originated as early as the 11th century, either at the time of the Carinthian Duke Welf III (1047–1055) or Berthold of Zähringen (1061–1077), who were both of Swabian extraction and through their persons linked the duchy to which the enthronement referred to that where the model for the interpolation presumably originated. This model was thought to describe a much earlier stage of the ceremony than described by Ottokar of Styria

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<sup>27</sup> The inscription is now illegible and it is quite possible that it was erased on purpose. In any case, in the 16th century the opinion was that it contained Rudolf's name. See a summary of the issue in Pleterski 1996, 51 ff. The R carved into the Prince's Stone is also thought to refer to Rudolf IV: see Baum 1996, 73. Dopsch 2001, 128 ff. as well attributes the origin of the eastern (ducal) seat and the transformation of the Duke's Throne into a double throne to Rudolf IV.

<sup>28</sup> See notes 51, 52.

<sup>29</sup> Steinmann 1967, 494; see also Baum 1996, 73 ff.

and John of Viktring, a stage that still contained many elements from the Carantanian period.<sup>30</sup>

Ljudmil Hauptmann similarly thought that the original model for the interpolation in the *Schwabenspiegel* must have originated very early, in the 12th century, and probably before 1134, when the ducal title passed from Engelbert II of Spanheim to his son Ulric I, and ducal lordship in Carinthia was finally established as a hereditary right, meaning that *eo ipso* the function of the *kosezi* as an electoral body was excluded. However, unlike Grafenauer, whose view was that the model for the interpolation already contained the essential elements conveyed by the interpolation in the Giessen and St. Gallen manuscripts of the *Schwabenspiegel*, and that this model described the actual course of the election of a new duke and the ceremony as it was in the 11th century, Hauptmann held that the original model was later greatly changed. One should therefore eliminate from the interpolation everything that refers to the Duke of Carinthia as the imperial Master of the Hunt, as well as the passage stating that the *kosezi* had the right to elect or reject the king's candidate for the position.<sup>31</sup>

Hauptmann's opinion that the interpolation in the *Schwabenspiegel* can only be used to some extent as a source on the enthronement of the dukes of Carinthia was recently joined by Hans-Dietrich Kahl, who held that the description of the enthronement in both interpolations in the *Schwabenspiegel* contains at least two textual layers. The layer that describes the course of the enthronement on the Prince's Stone, including its circumambulation, may derive from the Carantanian tradition, whereas the actual procedure of electing the duke represents a second layer, and Kahl associated its origin with the period of the Investiture Controversy of the last quarter of the 11th century.<sup>32</sup> To sum up, the point in question is that, according to the description in the interpolation in the *Schwabenspiegel*, Carinthia was essentially an electoral duchy, where the new duke was elected merely on the basis of idoneity. Idoneity is an old principle of canon law which the Roman Curia strove to extend to the elections of the Roman (German) kings at the expense of Henry IV. At the meeting of the opposition princes in Forcheim in 1077, and in the presence of the papal legate, Rudolf of Rheinfelden was an elected counter-king in accord with the principle of idoneity.

<sup>30</sup> Grafenauer 1952, 161 ff., 176 ff., 188 ff.; Grafenauer 1993, 355 ff.

<sup>31</sup> Hauptmann 1954, 144 ff.

<sup>32</sup> Kahl 2000, 133 ff.

The conflict between the papacy and the supporters of Henry IV was also fought in the completely new field of written propaganda, and writings of this kind turned into an instrument the opposition princes used to include the principle of idoneity, which at the time applied to secular persons as well, in the arguments against Henry IV. This is the context that may have given birth to those parts of the interpolation in the *Schwabenspiegel* which deal with the procedure of electing a new duke of Carinthia. By emphasising the principle of idoneity in the election of laymen these passages give the impression of having been taken from a lost propaganda text from the same period that was simply translated from Latin into German.<sup>33</sup> If this assumption is correct, then the model itself of the interpolation in the *Schwabenspiegel* must be seen as a kind of calculated forgery and a mixture of actual and constructed traditions.

The opinions on the value and place of the interpolation in the *Schwabenspiegel* in the genealogy of the sources on the enthronement of the dukes of Carinthia thus widely differ, and this is similarly true of the descriptions by Ottokar of Styria and John of Viktring, which both refer to the installation of Meinhard IV, Count of Tyrol and Gorizia, as Duke of Carinthia in 1286. Though he thought it possible that Ottokar was personally present at Meinhard's enthronement, Paul Puntschart viewed his description as highly unreliable and full of errors. In his opinion, John of Viktring, who witnessed the enthronement in 1335 and/or 1342, was a much more credible source and he took John's description as the criterion for his negative evaluation of Ottokar's. Puntschart also believed that John of Viktring may have known Ottokar's rhymed chronicle, but that his description of Meinhard's enthronement owes nothing to that knowledge.<sup>34</sup> A somewhat different opinion was that of Ernst Klebel and Josip Mal, who claimed that Ottokar's and John's descriptions had a common model – the phantom record of the enthronement,<sup>35</sup> of which John of Viktring had heard that Meinhard had taken it with him to Tyrol Castle.<sup>36</sup>

Similarly to Puntschart, Bogo Grafenauer viewed Ottokar's description as highly unreliable and full of errors, explaining its flaws with the assumption that Ottokar could not have witnessed the enthronement

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<sup>33</sup> Kahl 2000, 138.

<sup>34</sup> Puntschart 1899, 30 ff., 45 ff.

<sup>35</sup> See note 17.

<sup>36</sup> Klebel 1940, 97; Mal 1942, 33.



in 1286. Based on textual criticism, he called attention to two new observations: that Ottokar used, at least for one part of his description, the interpolation in the *Schwabenspiegel* – meaning that it must have predated Ottokar’s writing – and that John of Viktring’s description of Meinhard’s enthronement was partly inspired by Ottokar, but that he also corrected some of its essential elements. Grafenauer must also be credited for proving that John of Viktring most probably attended only the installation of Albrecht II in 1342.<sup>37</sup> Ljudmil Hauptmann, too, argues that John of Viktring knew Ottokar’s text, but adds that he did not adhere to the latter’s description. He thinks that the description by John of Viktring corresponds better to the ceremony as it was performed at the enthronement of the first Habsburgs in 1335 or 1342, and that Ottokar’s description paints a more credible picture of the ceremony that inaugurated Meinhard.<sup>38</sup> Hauptmann thus largely rehabilitated Ottokar, and Ulrich Steinmann joined his opinion with even greater conviction. According to the latter’s opinion, Ottokar is the only one who describes the enthronement of Meinhard in 1286, whereas John of Viktring deals with the changes to the ceremony that occurred at the beginning of the new ducal dynasty of the Habsburgs on Carinthia’s ducal throne in 1335; the interpolation in the *Schwabenspiegel* was then the latest of the sources, outlining individual novelties the ceremony had undergone in 1335, 1342, and 1360. Steinmann thus considered Ottokar “the oldest and most important source on the enthronement of the dukes of Carinthia /.../ Ottokar’s description should be the basis for all research into the enthronement.”<sup>39</sup>

*Uncertainties Concerning the Development and Course  
of the Ceremony in the High and Late Middle Ages*

What the ceremony of the enthronement was really like, and how it changed in the course of time therefore chiefly depends on the value we ascribe to each individual source and where we place it in the order and chronology of the sources on the enthronement. Steinmann’s opinion that the interpolation in the *Schwabenspiegel* is the youngest source, and that it describes the ceremony as it was performed at the time of

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<sup>37</sup> Grafenauer 1952, 84 ff., 107 ff.

<sup>38</sup> Hauptmann 1954, 133 ff.

<sup>39</sup> Steinmann 1967, 496.

the enthronement of Albrecht II and possibly also Rudolf IV, is rather unconvincing. Its major flaw is that it fails to refute the findings of Grafenauer's detailed textual criticism of the sources and his persuasive arguments that the interpolation in the *Schwabenspiegel* must have originated before Ottokar's description – before 1306-1308.<sup>40</sup> Over fifty-five years after the publication of Grafenauer's book, and more than forty years after Steinmann published his discourse, nothing has changed in this field of research, and unless criticism succeeds in refuting Grafenauer's analyses, the state of research is such that the interpolation in the *Schwabenspiegel* must be ranked first in the genealogy of the three principal sources on the enthronement.

On the other hand, however, Grafenauer's argumentation that the model for the interpolation goes back as far as the 11th century is not really convincing, as there is no solid argument for this opinion. Dating the model to such an early period is only one alternative and – similarly to the views of Hauptmann and Kahl, who also date the origin of the model for the interpolation to the 11th century or early 12th century, but based on quite different arguments – we can attribute to it different levels of probability, but it is not binding at all. Grafenauer himself was aware of this and referred to his opinion as a mere hypothesis in a discussion with Manfred Hellmann in 1965.<sup>41</sup> A high degree of scepticism is furthermore warranted concerning Grafenauer's opinion that the interpolation, or rather its presumed 11th-century model, is a description of the (s)election and enthronement of a new duke that has preserved strong elements of the Carantanian tradition, and that it is “essentially a form that is quite close to the form that was current at the time of Carantania's independence.”<sup>42</sup>

Indeed, according to the description of the interpolation in the *Schwabenspiegel* Carinthia, was essentially an electoral duchy, since the new duke was elected merely in accord with the principle of idoneity, and the ranks of those who had the right to vote – something highly unusual in feudal society – was limited to the *kosezi*. It has long since been clear that the described course is totally out of place in the society of a medieval empire, organised in conformity with feudal law, that had grown from its Carolingian heritage. This anomaly was explained by

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<sup>40</sup> For a summary of Grafenauer's argumentation, see Grafenauer 1993, 355 ff.; see also his criticism of Steinmann in Grafenauer 1970a, 119 ff.

<sup>41</sup> Grafenauer 1993, 364.

<sup>42</sup> Grafenauer 1953, 114; similarly Grafenauer 1955, 1143.

claiming either that the ceremony's description was a forgery,<sup>43</sup> or that remnants of the former Carantanian legal system had survived in the procedure of selection a new duke.<sup>44</sup> However, the *Conversio Bagoariorum et Carantanorum*, the only source to report on the way a new prince was installed among the Carantanians, offers no support at all to the opinion that Carantania was an electoral principality. Quite the opposite, after the death of Borut, the first prince of the Carantanians known by name, princely authority was first passed on to his son Cacatius and later to his nephew Hotimir, and this is clear evidence of hereditary princely authority within a single family among the Carantanians, though it was already limited by the consent of the Frankish king, who had the right to have his say in the appointment of a new prince of the Carantanians.<sup>45</sup>

The Frankish sovereign thus gave his approval to the enthronement of a new prince in Carantania before the Carantanians themselves inaugurated him, whereas according to the interpolation, or its model, the *kosezi* first elected the sovereign's candidate (read: gave him their approval) and only then did he receive the duchy in fief and was legitimized by the emperor. It is quite obvious that the procedure described in the *Schwabenspiegel's* interpolation cannot be interpreted as a remnant of the Carantanian legal system, because there is no way that Carantania or (later) Carinthia, constitutionally fully integrated into the Frankish state and the empire that had grown from it after the time of the introduction of comital rule in 828, could have expanded its rights at the expense of the king – by turning him from an sovereign who decided, into one who merely proposed a candidate – or, moreover, that the electoral body deciding on his candidate would consist of peasants. It is certainly much more likely that the interpolation is not credible with regard to the selection of the new duke than that it reflects the ancient Carantanian or Carinthian practice.

Things are different when we look at the interpolation's description of the ceremony involving the Prince's Stone, since no reasoned objection and no confirmation has to date been produced to the idea that it may have had its origin in the Carantanian period. At any rate, the course of the ceremony which has the duke, dressed in peasant or hunting attire, ride around the Prince's Stone three times on horseback

<sup>43</sup> E.g. Rauch 1941, 231 ff.

<sup>44</sup> E.g. Grafenauer 1952, 509 ff.; Mal 1939, 135; Kos 1955, 86 ff.

<sup>45</sup> *Conversio Bagoariorum et Carantanorum*, c. 4.

may well be the oldest known version of the ceremony. Its great age is suggested by the active involvement of the entire people in the ceremony, singing *Kyrie eleison* in the Slavic language and thanking God for giving them the prince of their choice.<sup>46</sup> An excellent parallel to this section of the ceremony is in Cosmas of Prague's account of the enthronement of Břetislav I as Prince of Bohemians in 1034: after the new prince occupied the prince's throne (*sedes principalis*), which stood in the courtyard of Prague Castle, his uncle Jaromir took Břetislav's right hand and called out to the gathered people: "Behold your prince." And the crowd then "shouted (*succlamant*) *Krlessu*, which means *Kyrie eleison*, three times."<sup>47</sup>

It appears however that this version, which does not include a peasant-enthroner, was no longer used by the mid 13th century. A brief mention of the enthronement from around the same period is in a sermon attributed to the famous preacher Berthold of Regensburg, and the duke of Carinthia is here already mentioned in connection with a peasant.<sup>48</sup> The older version was replaced by the one in use for the enthronement of Meinhard IV, Count of Tyrol and Gorizia, as Duke of Carinthia; considering the above, it was the one Ottokar came closest to in his description. The people lost their role and were replaced by a peasant-enthroner in whose family the role was hereditary from 1286 onwards. The only *Herzogbauer* (peasant-enthroner) known by name was the *kosez* Gregor Schatter from Blasendorf, who installed Ernst the Iron, the last duke of Carinthia to submit himself to the ceremony in 1414.<sup>49</sup> We can only assume that the peasant who enthroned Meinhard in 1286 was a member of the Schatter family, which died out in the male line in 1823.<sup>50</sup> The new duke was no longer led three times around

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<sup>46</sup> Grafenauer I. 1942, 63 ff. translated this passage of the interpolation into the language and phraseology of the Freising Manuscripts and obtained exclusively long regular lines in two parts, the oldest form of folk songs that goes back to before the 12th century.

<sup>47</sup> Cosmae Pragensis Chronica Boemorum I, 42. See Schmidt 1978, 438 ff., 450.

<sup>48</sup> Grafenauer 1952, 73.

<sup>49</sup> See *Ausgewählte Urkunden*, no. 167. Duke Ernst the Iron exempted Gregor Schatter, *der edlinger einer /.../ [der] uns auf dem stuel zu Khärnburg hat gesetzt nach alter gewonheit und rechten die darzue gehören und auch als das von alters ist herkommen*, of all duties. It is quite interesting and meaningful that this *kosez* privilege was included in the Carinthian *Handfeste*, a collection of the *Land's* privileges and liberties, upheld by the successive princes of the *Land*.

<sup>50</sup> On the history of this *kosez* family, see Puntchart 1899, 144 ff.; Zenegg 1923, 49 ff. The surname Schatter may be nothing more than a German translation of the Slovene

the stone on horseback, but his inauguration was accomplished when the peasant (*kosez*) offered him the seat on the stone throne, after the duke had approached him leading a horse and a bull.

Leaving aside morning Mass, the entire ceremony was held in one place in both the *Schwabenspiegel*'s interpolation and Ottokar's description: at Zollfeld, on a stone in which a seat, *ein gesidel*, was carved.<sup>51</sup> This description actually corresponds exclusively to the present, western palatine seat of the Duke's Throne – a stone block with a carved-out seat.<sup>52</sup> Recent research attributes to this seat a greater age than to the eastern ducal seat, and this consequently means that originally it must have stood alone.<sup>53</sup> Was the later western seat of the Duke's Throne the original place of enthronement? If so, did it originally stand at its present-day location? Or was Ottokar wrong in his description and did he erroneously shift the ceremony, which took place on the Prince's Stone, to the Duke's Throne, as is traditionally accepted based on the description by the later John of Viktring?<sup>54</sup> In any case, the question at which location or locations the enthronement really took place before the 14th century, and from which time onwards the Prince's Stone and Duke's Throne were both included in the ceremony are today much more of an enigma than was earlier thought.<sup>55</sup> What is certain today is merely that the first undisputed reference to the Prince's Stone at Karnburg is that of John of Viktring (*sub monte Karinthiano prope ecclesiam sancti Petri lapis est*), who was also the first to differentiate it from the Duke's Throne (*sedes tribunalis in pratis Soliensibus posita*), and the existence of two seats on the Duke's Throne is first unambiguously mentioned only on the occasion of the last enthronement in 1414, when the duke sitting on the ducal seat granted the *Land*'s fiefs, and the

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surname S(i)enčnik that is still common in Carinthia. See Grafenauer 1970a, 122 (referring to Sergij Vilfan).

<sup>51</sup> Ottokars Österreichische Reimchronik, verses 19.990–19.998.

<sup>52</sup> Older literature, including Grafenauer 1952, 287 ff., pointed out that *gesidel* is the plural form of *sēdel* and that Ottokar thus had in mind two seats, in other words the Duke's Throne. Steinmann 1967, 470, however argued that this interpretation is not necessarily correct and that *ein* (sic!) *gesidel* may well mean just one seat.

<sup>53</sup> See Moro 1967, 427 ff.; Pleterski 1996, 54 ff. Using art history methods, Ginhart 1967, 460 ff. dated the origin of the eastern, ducal seat to the 9th century, but his attempt does not withstand criticism as the seat, which has no parallels, cannot be attributed to a particular style and related period. See Steinmann 1967, 494; Pleterski 1996, 52 ff.; Dopsch 2001, 120 ff.

<sup>54</sup> Puntchart 1899, 41; Grafenauer 1952, 287.

<sup>55</sup> See note 53 and Kahl 1998, 205 ff.; Kahl 1997, 226 ff.

count of Gorizia, seated on the palatine seat of the Duke's Throne in his function of Carinthian count palatine, granted the fiefs belonging to the palatinate.<sup>56</sup> It seems however that the Prince's Stone and Duke's Throne were already in place around the mid 12th century and that they are mentioned by the imperial notary Burchard – he enthroned Herman of Spanheim in 1161 “on the throne of the Duchy of Carinthia” (*in sedem Karinthiani ducatus intronizavi*), and it was there that he announced the imperial mandates for the vassals and ministerials of the archbishop of Salzburg, Eberhard I, who, standing on a stone (*lapis*), responded vehemently<sup>57</sup> – but this cannot be confirmed with absolute certainty.<sup>58</sup>

In contrast with the traditional opinion, it is quite feasible that the change of ducal dynasty in 1335 led to a major change, and that it was also connected, as Steinmann claimed, with the transfer of the ceremony's peasant section from the stone block (the later western seat of the Duke's Throne) to the Prince's Stone at Karnburg. It is further presumed that it was this changed form of the ceremony, first practised at the installation of Otto of Habsburg, which John of Viktring then described, even though it applied to the enthronement of Meinhard of Tyrol and Gorizia.<sup>59</sup> In addition to the possible transfer of the ceremony's peasant section to Karnburg,<sup>60</sup> the changes in regard of the old custom mostly involved the ceremony's division into two parts, which took place at two different locations (and if we add Mass, three parts in three locations), of which the second, feudal section, took place on the Duke's Throne. The peasant part of the ceremony obtained new elements as well, for instance in the segment where the *kosez* sitting on the Prince's Stone holds the animals he later receives as gifts from the very beginning; furthermore, the questions are no longer answered by the duke's retainers, but by the assessors of the *kosez*-enthroner and, finally, the

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<sup>56</sup> See note 62 and Wutte 1949, 41 ff. (*/.../die egenanten lechen von uns und unsern eribn empfachen, wann wir unser lechen auf dem stuel zu Czol in Kerenden leichen und sind die lechen, die ze der pfalz dar rüeren*). And not with Thomas Ebendorfer soon after the mid 15th century, Thomas Ebendorfer, *Chronica Austriae* 274: *Sicque feoda petentibus conferet et, si aliquibus conferre recusat, his comes Goricie protunc ex iure ab alia parte residens habet conferre /.../*), as is usually thought, see Pleterski 1996, 71.

<sup>57</sup> Le lettere del notaio imperiale Burcardo, 53 ff.; MC 3, no. 1031/II. See Dopsch 1995, 115 ff.

<sup>58</sup> See Kahl 1998, 186 ff.; Kahl 1997, 229 ff.

<sup>59</sup> Steinmann 1967, 477 ff.; see also Pleterski 1996, 70 ff.

<sup>60</sup> Grafenauer 1970a, 120, thinks the transfer unlikely on the grounds that Karnburg had lost all of its significance after the end of the first millennium.

oath of the duke and his four companions is replaced by the sword ceremony.

The ceremony may then have undergone further changes in the enthronements of Albrecht the Lame in 1342 and Rudolf IV in 1360, but its basic structure remained unchanged until 1414, when Ernst the Iron was installed as the last duke of Carinthia: this is confirmed both by the privilege Ernst granted to the *Herzogbauer* Gregor Schatter, which testifies to the existence of the ceremony on the Prince's Stone at Karnburg (*uns auf den steul zu Khärenburg hat gesetzt nach alter gewonheit*),<sup>61</sup> as by his letters of grant, which document the granting of fiefs and testify to the ceremony's second, feudal section on the Duke's Throne (*auf dem stül bey Zol*).<sup>62</sup> On the day of Ernst the Iron's enthronement, fiefs belonging to the Carinthian palatinate were granted by the count of Gorizia, Henry, who sat on the western seat of the Duke's Throne as the count palatine of Carinthia.<sup>63</sup> Following the arbitration of Duke Albrecht III from 1391, the count palatine even had the right to pronounce judgement on the duke when the latter sat on the Duke's Throne on enthronement day.<sup>64</sup> The connection of the count palatine of Carinthia with the enthronement ceremony, or with its section that took place on the Duke's Throne, probably goes back to the time of Albrecht the Lame's enthronement in 1342. It was indeed Duke Albrecht who, in 1339, granted the palatine county of Carinthia in fief to the counts of Gorizia;<sup>65</sup> the counts then stipulated in a partition agreement from June 13th, 1342 that the honours of count palatine, among which the right "*da man den herczogen ze Tzol auf den stül seczt*" is explicitly mentioned, fell to the oldest of the Gorizia brothers.<sup>66</sup> It appears that the Carinthian count palatine was included in the ceremony as a novelty about a month later, at the enthronement of Albrecht the Lame:<sup>67</sup> in the fair copy of his work (*recensio B*), written after Albrecht's enthronement, John of Viktring, who attended only this enthronement (and not that of Otto in 1335),<sup>68</sup> refers to the count of Gorizia as the count palatine of Carinthia (in his description of Meinhard's

<sup>61</sup> Ausgewählte Urkunden, no. 167.

<sup>62</sup> MC 10, nos. 1143–1147, 1150.

<sup>63</sup> See note 56.

<sup>64</sup> MC 10, no. 969.

<sup>65</sup> MC 10, no. 114.

<sup>66</sup> MC 10, no. 161.

<sup>67</sup> Grafenauer 1952, 314 (referring to Jaksch).

<sup>68</sup> See note 37.

enthronement in 1286, to be sure). In doing so, however he did not connect the count with the ceremony on the Duke's Throne, but ranked him first among the duke's companions, when the duke, dressed in peasant clothes, approached the kosez-enthroner on the Prince's Stone.<sup>69</sup>

That the Duke's Throne had two seats, and that the count of Gorizia as the count palatine of Carinthia granted the fiefs belonging to the county palatine of Carinthia from the western seat, is thus attested for the first time in the 1414 enthronement. It is therefore quite possible that the Duke's Throne obtained its present-day form with two seats only at the enthronement of Rudolf IV in 1360, when the inscription presumably referring to Rudolf's name was chiselled into the throne.<sup>70</sup> This transformation of the Duke's Throne, and the presumed inclusion of the count palatine of Carinthia in the ceremony at the Duke's throne, were the last significant changes to the ceremony before its demise in the 15th century.

In spite of the many unresolved questions, which could only be outlined above, we may conclude by noting that the ceremony saw many changes in the course of history; they broke with the old tradition, but also created a new one, and these changes also altered the meaning and significance of the individual symbolic acts, as well as the roles of the individual actors in the ceremony. It is quite possible that the ceremony obtained the fixed image, common in history and text books, of a three-part ceremony taking place in a single day at the Prince's Stone at Karnburg, in the church of Maria Saal, and on the Duke's Throne at Zollfeld, only under the Habsburgs in the 14th century.

The most important part of the ceremony was, of course, its first "peasant" section which occurred at the Prince's Stone. By making way for the new duke as for an equal – as suggested by duke's peasant attire – on the Prince's Stone, the symbol of power in Carinthia, he symbolically handed over lordship in the duchy. And it is precisely this part of the ceremony that inspired Piccolomini soon after the mid 15th century to write that it was a quite exceptional and unique ceremony, an opinion repeated by many after him. Because of this part, which certainly was archaic in the High Middle Ages, and which completely diverged from the notions and mentality of the contemporary people, the ceremony appeared "ridiculous" and "a farce" to the Austrian

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<sup>69</sup> *Iohannis abbatis Victoriensis Liber certarum historiarum* 1, 291.

<sup>70</sup> See notes 27, 29, 53.





Fig. 17. The Duke's Throne: the eastern ducal seat with the presumed inscription *RVDOLPHVS DVX* carved into the backrest (photo: Landesmuseum Kärnten, Klagenfurt).

retainers of Otto the Merry at his enthronement in 1335.<sup>71</sup> This remark by John of Viktring suggests that the companions of the Habsburg

<sup>71</sup> Iohannis abbatis Victoriensis Liber certarum historiarum 2, 161.

duke considered dressing up their lord as a peasant and the symbolic transfer of ducal lordship in Carinthia from a peasant's hands to be a disgraceful and deriding act. However, owing to the significance the enthronement had in legitimising Habsburg ducal lordship in Carinthia (Albrecht II), or to its political aspirations within the empire (Rudolf IV, but also Ernst the Iron),<sup>72</sup> the Habsburgs did not renounce the ceremony until the period after Ernst the Iron. His son Frederick III (V), elected king in 1440, wanted to avoid the ceremony, which he held to be too humiliating for this royal dignity. In negotiations with the Carinthian Estates in 1443 he succeeded in being exempted from the ceremony *vmb königlicher würdigkeit willen*, and the Estates contented themselves with the hereditary homage held in St Veit, where Frederick was staying and where he granted the *Land's* fiefs.<sup>73</sup> This buried the ceremony on the Prince's Stone for once and for all, though nobody probably realised so at the time. In the second half of the 16th century and under pressure of the Carinthian Estates, then at the peak of their political power, two Carinthian dukes (archduke Charles II in 1564 and his son, the later Emperor Ferdinand I in 1597) nevertheless had to sit on the Duke's Throne to accept the hereditary homage and to be symbolically given ducal lordship.<sup>74</sup>

*The Origin of the Ceremony in Carantania and the Question  
of its Continuity into the High Middle Ages*

The ceremony which the companions of Duke Otto II considered ridiculous and a farce in 1335, but which more than a century later Aeneas Silvius Piccolomini saw as something exceptional, attracted particular attention in the High Middle Ages for its deviation from the norms, notions and mentality of the period. It will suffice to recall how, in about the same period when Piccolomini borrowed John of Viktring's description of the ceremony, the counts of Cilli were elevated to imperial princes (1436), because their elevation certainly was something quite different. The charter on the elevation, sealed with the emperor's

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<sup>72</sup> On Albrecht II and Rudolf IV, see Steinmann 1967, 484, 487 ff. How important the enthronement was to Ernst the Iron is obvious from the fact that immediately after the act he assumed the title of archduke, which he clearly (and probably imitating Rudolf IV) associated with the duchy of Carinthia.

<sup>73</sup> See Puntchart 1899, 112 ff.

<sup>74</sup> See Fräss-Ehrfeld 1984, 345 ff., 580 ff.

great seal was handed over to Ulric II of Cilli, together with two banners symbolizing two princely fiefs, by Sigismund of Luxembourg, sitting on the throne, decorated with the emperor's insignia and dressed in the emperor's robes, and the ceremony was held in the town square of Prague in the presence of the imperial princes.<sup>75</sup> That was the norm, whereas the Carinthian enthronement, in which a peasant-*kosez* symbolically handed over lordship to the new duke of the duchy, who himself also had to be dressed in peasant attire, was something totally out of the ordinary and could not have originated within feudal society and its notions of investiture.

The peasant elements of the enthronement ceremony on the Prince's Stone in the Late Middle Ages are in their essence archaic. They are indicative of the ceremony's great age and confirm that its origin must be sought in pre-feudal times. Considering the different opinions associating the origin of the ceremony with the Gothic-Lombard period of Late Antiquity, Slavic Carantania, the Frankish 9th century, or even pre-Roman, Celtic times,<sup>76</sup> the most credible opinion seems to be the one linking the beginnings of the ceremony to the election of princes in Carantania. Though this cannot be proved, there is no better alternative to this opinion and it is supported by several elements. First there is the language of the ceremony, which was Slavic:<sup>77</sup> the dialogue on the Prince's Stone between the peasant-*kosez* and his assessors or the companions of the new duke, which Ottokar refers to as *der windische herre*, was spoken in the Slavic language; it was the same language as that of the people's songs of praise (*vnd singent / ... / iren windischen laissen das ist ir windisch gesang*), that is as long as they actively participated in the ceremony's older phase. And this was the language of lordship and power in Carantania. From the early 7th century, Fredegar's Chronicle, the *History of the Lombards* by Paul the Deacon and, of course, the *Conversio Bagoariorum et Carantanorum* refer on several occasions to members of a Carantanian elite that is politically active and has attested contacts with the Lombards, Bavarians, Avars, and probably also with Samo's kingdom. And it was precisely because of this politically decisive, outward representative elite that external observers considered the Carantanians to be Slavs, a notion that must have owed much to the Slavic language this elite spoke and thus must have enjoyed the status

<sup>75</sup> Ausgewählte Urkunden, no. 180.

<sup>76</sup> For a survey of these views, see Grafenauer 1952, 15 ff.; Vilfan 1968, 45 ff.

<sup>77</sup> See note 15.

of “official” language in Carantania, though this does not necessarily mean that all those included in the ethnonym Carantians spoke that language.

The ceremony’s Carantanian origin is further indicated by parallels with other Slavic peoples, some of which installed their princes in a similar way.<sup>78</sup> What should be emphasised, though, is that this was not a Slavic particularity, and that stones with a similar function, if not ceremonies, are found elsewhere around Europe, in particular in the Irish-Scottish and Anglo-Saxon areas.<sup>79</sup> The most obvious parallels are with the Bohemians, who until the 13th century handed over lordship on a stone throne, which similarly stood in the political centre of the principality – Prague Castle.<sup>80</sup> Sergij Vilfan drew attention to a custom that reveals interesting analogies with the Carinthian enthronement and was recorded before the mid 15th century in Carniola. According to the custom, the *kosez* who had in fief the *kosez* manor in Log at the eastern fringe of Ljubljana, had to drive a decorated bull in ceremonial procession to Ljubljana upon the arrival of the prince of the *Land* and deliver it to the prince’s kitchen. The last time the owner of this *kosez* fief delivered a bull was at the hereditary homage to Charles VI in 1728. Vilfan legitimately thinks that the custom in the known form does not reflect its original meaning and that it was initially connected only with the arrival of the prince of the *Land* on the occasion of the hereditary homage (and not with his every visit). At the symbolic level, the hereditary homage is certainly comparable to the enthronement ceremony, a view that is supported among others by the fact that the Duke’s Throne was the venue of the hereditary homage in Carinthia on several occasions in the 16th and 17th centuries.<sup>81</sup> The delivery of animals to the sovereign’s kitchen is probably an original element of the custom that was wrongly interpreted. Another significant element is that the same group of *kosezi* included someone whose name was Kamnar (“Stoner”), but who was in no way connected with masonry or a stone quarry. *Kosez*, stone, hereditary homage, a decorated bull, a ceremonial procession – all these elements are reminiscent of the Carinthian enthronement ceremony, and the modern-age custom from the fringe of Ljubljana may comprise memories of the ceremony of handing over

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<sup>78</sup> Ślupecki 1997, 35 ff.

<sup>79</sup> Palme 1997, 18 ff.; Jäschke, 1997, 121 ff.

<sup>80</sup> Schmidt 1978, 439 ff., especially 451 ff.

<sup>81</sup> See note 74.

authority to the Carniolan princes in the past, and may thus be a relic of the tribal constitution of the Carniolans.<sup>82</sup>

The majority of researchers hold that one of the principal arguments in support of the thesis that the later enthronement of the Carinthian dukes derived from a ceremony the Carantanians practised when handing over power to their tribal princes is provided by the *Conversio Bagoariorum et Carantanorum*. Its famous 4th chapter relates that after Borut's death the Slavs (i.e. the Carantanians) appointed Cacatius prince (*illi eum ducem fecerunt*) and that after his death the same peoples (sic!: *ipsi populi*)<sup>83</sup> conferred princely authority on Hotimir (*ducatum illi dederunt*);<sup>84</sup> this account is generally understood as a clear reference to the enthronement ceremony, and at the same time as the oldest reference to the enthronement.<sup>85</sup> We must, however, point out that though *Conversio's* account does indeed indicate that the Carantanians ultimately inaugurated their new prince themselves, but that it does not tell us in what way. Based exclusively on the diction of the text (*fecerunt, dederunt*), one cannot claim that the form of this legitimising procedure was (already) the enthronement ceremony.<sup>86</sup> It is only after we combine this account with the other above-mentioned indications and reasons, suggesting that the origin of the enthronement probably lies with the Carantanians and the framework of their tribal law of customs (*ritus gentis*), that it becomes plausible that the acts described in the *Conversio* indeed refer to a ceremony performed by politically and legally capable Carantanians to legitimise the authority of the new prince by enthroning him on the Prince's Stone. Again, however, there is no evidence that the upside-down base of an Ionic column, driven into the ground, and which most likely stems from Roman Virunum in Zollfeld, was indeed the symbol of lordship among the Carantanians of the Early Middle Ages and as such "the oldest preserved symbol of lordship from Late Antiquity used on Austrian soil."<sup>87</sup> At the same time, it is even less likely that this simple artefact was introduced only after Carantania lost its independence (in 828) to

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<sup>82</sup> Vilfan 1966, 190 ff.; Vilfan 1996, 109. However, see also Kahl's apprehensions in Kahl 2007, 361.

<sup>83</sup> On the issue of the interpretation of this passage, see Wolfram 1979, 89 ff.; Kahl 2002, 163 ff.

<sup>84</sup> *Conversio Bagoariorum et Carantanorum*, c. 4.

<sup>85</sup> E.g., Kos M. 1936, 29; Mal 1939, 129; Grafenauer 1952, 509; Dopsch 1995, 112 ff.

<sup>86</sup> Similarly already Wolfram 1979, 88.

<sup>87</sup> Wolfram 1995, 278.

inaugurate first Frankish counts, and from 976 onwards the dukes of Carinthia.

Considering in addition that the enthronement ceremony was held in the area of Zollfeld, that gave its name to Carantania and the Carantanians and constituted the political and sacral religious centre of the Carantanian tribal principality; furthermore, that the ceremony is connected with early medieval Carantania through the *kosezi* to whose ranks the enthroner belonged,<sup>88</sup> and that, finally, John of Viktring already made the connection between the enthronement and Carantania, we can then say with near certainty that as early as the 8th century the Carantanians installed their princes with a ceremony that we know in a later, undoubtedly greatly changed and, perhaps, no longer identifiable form.

For if we recall to mind John of Viktring's statement that it was impossible in 1335 to reconstruct and perform the ceremony, last practised half a century earlier (1286), in accordance with the old customs, because much had been forgotten in the meantime,<sup>89</sup> then, as Otto Brunner pointed out, searching for its original form and meaning is a pointless endeavour.<sup>90</sup> In particular, because the continuity of the ceremony and its tradition from the Early Middle Ages onwards have by no means been established and the contrary is probably more likely – that it was suspended several times and that individual breaks in the continuity may have lasted several centuries in the worst case. The first Carinthian duke known by name, of whom we know beyond any doubt that he was enthroned, is indeed Meinhard IV – in 1286! It is highly probable that Herman of Spanheim was also enthroned when he became duke of Carinthia in 1161, but the account suggests that the ceremony was performed in a very improvised form and not in accord with the “old customs”: the enthroner was simply the emperor's notary Burchard, duly authorized by Frederick Barbarossa; the ceremony was performed only on the Duke's Throne (*in sedem Karinthani ducatus intronizavi*), and clearly (and merely) had the nature of an act of feudal law.<sup>91</sup> Until the arrival of the Habsburgs in 1335, there is no evidence

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<sup>88</sup> On the *kosezi* (*Edlinger*) as an Old Carinthian privileged social class, see the summary of research results in Vilfan, 1968, 59 ff. and the literature listed there; Vilfan 1980, 291 ff.

<sup>89</sup> *Iohannis abbatis Victoriensis Liber certarum historiarum* 2, 196.

<sup>90</sup> Brunner 1965, 91.

<sup>91</sup> See notes 57, 58.

for the enthronement of any other Carinthian duke.<sup>92</sup> Furthermore, we have to take into account the century and a half between 828 (abolition of the native princes and introduction of comital rule) and 976 (the elevation to a duchy), when Carantania or Carinthia was not formally an principality, and this may well have had consequences for the ceremony itself.

The tradition thus had to bridge centuries in which we can obviously expect breaks in the continuity and certainly changes to the tradition itself. As the case of the Habsburgs demonstrates,<sup>93</sup> these changes may have been brought about in the interest of dynastic politics, as well as by broader factors of general history. These would first of all include Christianisation, which was not only a reason for the ceremony to (possibly) obtain new contents, but the assertion of the new religion may have required the elimination of old pagan sacral elements from the ceremony. The full integration of Carantania into the Frankish kingdom and its legal system, following the introduction of comital rule in 828, can hardly have occurred without influencing the ceremony's tradition, and a similar epochal break in the history of Carinthia was its elevation to a duchy. This indeed meant that foreign lords started to arrive in Carinthia, whose ducal authority was legitimised by the crown, and whose legal position therefore completely differed from that of the previous candidates for the position of prince in Carantania; correspondingly, their perception of the ceremony, if they submitted themselves to it at all, had to be different and it may have acquired new layers of meaning. The way in which the tradition was passed on must also have influenced it significantly. It is indeed nearly impossible to imagine that it was fixed in writing before the High Middle Ages. Recording secular traditions started to become common only in the 13th century, and even then it was more a private undertaking than an official act or even one required by protocol. This, then, is the likely

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<sup>92</sup> Grafenauer 1952, 252 ff. thinks it possible that there were two further enthronements: that of Berthold, the brother of the Bavarian Duke Arnulf, whose presence in Maria Saal and Karnburg together with a considerable number of witnesses is documented in 927 (MC 3, no. 89–91), and that of Conrad II, who after the removal of Adalbero of Eppenstein in the summer of 1035 received the duchy of Carinthia in fief only in February 1036; Grafenauer presumes the enthronement to have taken place in this intermediate period. The arguments he lists however do not testify to an enthronement at all. The diction *eum in principem solempniter sustulerunt*, which refers to Duke Bernhard of Spanheim, is not a reference to enthronement, as claimed in Puntschart 1899, 103, see Grafenauer 1952, 94 ff.

<sup>93</sup> See Steinmann 1967.

context of the origin of the two anonymous interpolations in the *Schwabenspiegel* from the 14th and 15th centuries, but they are encumbered by complex issues of textual criticism. Whether a further, similar record of the inauguration ceremony of the Carinthian dukes existed in the 13th century, the one Meinhard presumably took with him to Tyrol Castle after he was enthroned, remains questionable.<sup>94</sup> In any case, the ceremony's tradition must have been passed on orally for centuries, possibly in the form of legal instructions (*Weistümer*) which had to be procured for every individual enthronement. The family of the "ducal peasant," whose function as enthroner was hereditary from at least the second half of the 13th century, may have had a special place among these "custodians of traditions."<sup>95</sup>

All these factors mean that we can hardly expect the form of a ceremony preserved from the Late Middle Ages to tell us much about its nature at the presumed time of its origin, when it still had real legal and political significance in Carantania. For the same reason of historical changeability and contamination we cannot expect, in the reverse sense, Old Slavic, nomadic-steppe, Germanic, or even Irish-Anglo-Saxon traditions to provide us with the key to the meaning of the symbolic acts the ceremony had in the Late Middle Ages.

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<sup>94</sup> See note 17.

<sup>95</sup> See Kahl 1997, 230 ff.





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